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REPORT

ON

NATIVE PAPERS IN BENGAL

FOR THE

Week ending the 26th December 1908.

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I.—Foreign Politics.

Alleged seditious proceedings at Chandernagore.

The *Matribhumi* [Chandernagore] of the 10th November refutes the charges brought by Mr. Tardivel, late Mayor of Chandernagore, against some students of the Dupleix College, who are said to have attended college bare-footed as a sign of mourning for the execution of Kanai Lal Datta. The charge is wholly unfounded. Some relatives of Kanai may have put on signs of mourning; but no objection can be taken to such action on their part. The fact is that many students who cannot afford to buy shoes attend school without shoes on. Are these to be held guilty?

Matribhumi, Nov. 10th, 1908.

Again, at the Hatkhola Exhibition nothing "seditious" was exhibited. Mr. Tardivel was led by some people to believe that Khudiram's execution was exhibited. But the fact was quite the other way. Foreign salt and sugar are abominations to all Indians. The exhibition of the process of salt and sugar refining was meant for explaining it to the public, so that they may give up their use. But who can say that it was seditious?

The Persian Council of State.

2. The *Namai Muqaddas Hablul Matin* [Calcutta] of the 14th December has the following on the Council of State organized by the Shah of Persia:—

Namai Muqaddas Hablul Matin, Dec. 14th, 1908.

The objects of the Shah in granting the new Council of State, which is to give a mere formal assent to the Royal decrees, are first to soothe the nation with the idea that the Council would gradually develop into a parliament; secondly, to make the Council bear the odium for all his unlawful measures.

Charles I after subverting the British Parliament wished to govern the country with the aid of a Council of State, but his attempt proved a total failure. This history of the English is sure to repeat itself in Persia.

Bearing in mind the text "What God has destined admits of no change," we congratulate our countrymen on the point that whatever has yet happened in the country has been in favour of the national strength of Persia, and whatever may happen in future is sure to be for the good of the country, and not for the worse. It matters very little even if the whole world protest against the Persian Constitution.

So far as our knowledge goes, as the plan of subverting the Persian Parliament was drawn up at Rewal, so the foundation of the Council of State was laid in London at a meeting of Sir Edward Grey with M. Isvolsky. But we have sufficient reasons to hold that this Council is sure to make way sooner or later for a Parliament.

Mr. Asquith had, during the stay of M. Isvolsky in London, clearly pointed out in his speech that a Council of State was finally decided upon for Persia. The Premier, in another speech on the 12th November last on the Balkan Troubles and the Turkish Parliament, made reference to the Persian Parliament, and the Reform party too, and impressed upon the English that the opening of the Parliaments in Turkey and Persia had been a source of great excitement in India and Egypt. It appears from the speech that the Premier is not practically in favour of a perfect Constitutional Government for Persia. The last speech of Sir Edward Grey, too, made in the British Parliament echoe the same idea.

The Russians are known to be the open enemies of equality and liberty and opposed to all forms of progress in Persia, especially because the whole of the Caucasus, Turkistan and countries bordering the Caspian Sea, which had once remained under the political subjection of Persia, would undoubtedly be affected by the signs of freedom manifested in Persia. Even if we do not hold the Russians to be the enemy of freedom and admit their intentions as giving no cause for anxiety in the present state of affairs in Persia, we must say that in order to safeguard their own interests they will never be favourably disposed to the Persian Constitution.

Every page of politics reveals a new diplomacy. In one it is laid down that Persia should have a perfect Parliament. In another page this order is rescinded having regard to (Britain's) alliance with Russia and promises made to her, and it is laid down that it is expedient to give Persia a Council of State since a Parliament is likely to excite the Indians and the Egyptians.

We find that the relation between Turkey and Germany to-day is similar to what existed between Russia and Persia. Hence we pray for the safety of the Turkish Parliament, fearing lest Turkey should share the fate of Persia. The only difference between the Persians and the Turks is that the latter are more up to the times in their knowledge and wiser in politics and may therefore more successfully combat against political vicissitudes.

Persia in her present condition resembles a puppet in the hands of the Russian and English statesmen. It will not be long before the light of the movements of the people of Morocco strikes Persia which will then assume a different colour. It will also not be long before the Persian statesmen will secure the reins of their country's government. This can be easily had if the Persians come to understand their own benefits, cease to associate in any way with the foreigners and to dance to their tune which may keep them alive for a time.

In short, the influence of the English is gradually again gaining ground in Persia. Although the Russian Consul, who is supposed to be directing the movements of the Shah, has not been removed from Teheran, yet through the efforts of the English foreign office a Joint Anglo-Russian protest has been made to the Shah against mismanagement and excesses of his army. We gather from the English papers, which reflect the opinion of the English nation, and Reuter's despatches that England means to make the Council of State a useful organization in Persia by increasing its powers, and by its means to put an end to the Civil war that is going on there, or, in other words, to prevent the Shah from committing oppressions on his people and make the latter favourably disposed to the new Council; but we are of opinion that neither of the two ends in view is likely to be served.

The Shah and the Royalists had to exert themselves very hard in impressing upon the people the futility of the National Assembly so that they might free themselves from its control. In course of the last five or six months the Royalists have exhibited their incapacity to a degree which has convinced those in and out of the country of the superior usefulness of the National Assembly. It is probable that the Council of State will have to resign instead of being abolished by the Shah, in as much as the latter and his viziers will try to do away with the fetter, while the nation will not submit to it.

SOLTAN, Dec. 18th, 1908.

Fate of the enemies of representative Government in Turkey.

3. The *Soltan* [Calcutta] of the 18th December says that it has been found even in India that the fate of the traitors to their country is an appalling one. Eighty-thousand men have petitioned for condemning to death those traitors who stood against the introduction of representative Government in Constantinople. The paper says that the report is calculated to cause anxiety.

II.—HOME ADMINISTRATION.

(*a*)—*Police.*

BANGARATNA, Dec. 16th 1908.

Police connivance at cheating by shop-keepers.

4. Referring to the conduct of a certain section of the shop-keepers of Barabazar, Calcutta, the *Bangaratna* [Krishnagar] of the 16th December strongly expresses itself on the conduct of the police. The paper says that the *zulm* and *zuburdusti* that are practised on innocent men in broad daylight and in the presence of the public are of a kind that was never dreamt of. The affair could have been ignored if it were a rare occurrence; but it is not so. The incidents are occurring every moment. If anybody among the crowd carries with him a *gupti* with great care and caution, the police at once pounce upon him and glorify themselves by persecuting him. But they turn a deaf ear to the wailings of those who are publicly victimised in Barabazar. The police can detect if one keeps in his room the smallest quantity of sulphur; but they are ignorant of the fact that the shop-keepers of Barabazar, the sweet-meat-sellers and the owners of fruit stalls, are engaged in the nefarious practice of cheating customers by keeping short weights, and even the shoe-makers of

the quarter have devised means to victimise their purchasers. If anything the least unpleasant to the Government appears in the newspapers, they detect it and apply a remedy; but in these matters the publication of a series of articles cannot awake them. In the matter in question, the police, who are the favourites of the Government, and the shop-keepers who are similarly favourites of the police, make profit while the general public are the losers. Therefore, the paper asserts that the authorities sleep over the matter. It, however, requests the Government not to ignore the complaints of the public and the newspapers as worthless statements.

5. The *Hindusthan* [Calcutta] of the 19th December protests against the interdict on the songs, "*Bande Mataram*" and "*Amar Desh*," and portions of the drama *Sirajaddula*. There is nothing exciting in the song *Bande Mataram*. The authorities are requested to consider whether it is statesmenship to wound the feelings of a people under the pretext of establishing peace. HINDUSTHAN, Dec. 19th, 1908.

The interdict on some songs etc.

6. The *Basumati* [Calcutta] of the 19th December draws the attention of the authorities to the proceedings of the Eastern Bengal Police in not giving copies of search lists to the persons whose houses are searched, and whose letters and all sorts of articles are taken away. BASUMATI, Dec. 19th, 1908.

Refusal of police to give copies of search lists.

7. Referring to the domiciliary searches in Bengal and Eastern Bengal, the *Howrah Hitaishi* [Howrah] of the 19th December says, that the fact that no incriminating article was found in most of the houses searched, proves that the searches in them were made without proper inquiry into the nature of the information received in regard to them. It is hoped that the authorities will save innocent people from the harassment of domiciliary searches on insufficient information. HOWRAH HITAISHI, Dec. 19th, 1908.

Domiciliary searches.

8. Referring to the house searches and arrests of persons, the *Hindi Bangavasi* [Calcutta] of the 21st December contains a version of an article in the *Bengalee* which says that seeing the arrests now going on, no Bengali considers himself safe. The Government is looking with reddened eyes towards Bengalis, and this has caused them to shake with fear. HINDI BANGAVASI, Dec. 21st, 1908.

The *Bengalee* on the present arrests.

(b)—Working of the Courts.

9. Referring to the retirement of Mr. Justice Sarada Charan Miter from the Bench of the Calcutta High Court, the Daily *Hitavadi* [Calcutta] of the 20th December highly commends the qualities of head and heart of the retiring Judge. The paper, however, points out that according to the prevailing rules Government will not grant any pension to Babu Sarada Charan and that because his term of office was less than 12 years. But still he had to retire under the 60 years rule. The paper adds that the Emperor honours a retired High Court Judge by conferring a knighthood, and it hopes that Babu Sarada Charan will be similarly honoured. The writer concludes by noticing that the vakils of the High Court presented a farewell address to Babu Sarada Charan. DAILY HITAVADI, Dec. 20th, 1908.

Retirement of Justice Sarada Charan Mitter.

10. Referring to the retirement of Justice Sarada Charan Mitter from the Bench of the Calcutta High Court, the *Burdwan Sanjivani* [Burdwan] of the 15th December says, that if the Secretary of State for India had retained the services of such an eminent Judge for some time langer, the glory of the English Raj would certainly have been enhanced thereby. At a critical time like the present the loss to the country by the resignation of such an upholder of law and justice is incalculable. BURDWAN SANJIVANI, Dec. 15th, 1908.

The retirement of Justice Sarada Charan Mtter.

11. The *Bharat Mitra* [Calcutta] of the 19th December, in announcing the retirement of Justice Sarada Charan Mitter from the Calcutta High Court, remarks that the sound judgments on cases delivered by him had impressed the people with the BHARAT MITRA, Dec. 19th, 1908.

Justice Mitter's retirement.

solemnity of the High Court. Justice Mitter being still in full vigour of mind and body at this age of 60, the High Court has in his retirement lost a competent Judge simply owing to the age limit rules framed by Lord Curzon.

DAINIK CHANDRIKA, Dec. 21st, 1908.

The retirement of Justice Sarada Charan Mitter.

12. The *Dainik Chandrika* [Calcutta] of the 21st December says that the Bench of the Calcutta High Court has suffered a severe loss from the retirement of Mr. Sarada Charan Mitter. During the period of his judgeship he spared no pains to maintain the prestige of the High Court as an institution dispensing unstinted justice, and in many cases, such as the Comilla shooting case, the Bloomfield murder case, the Barisal Conference case, the *Yugantar* press confiscation case, etc., he showed his sterling independence and judicial frame of mind under most trying circumstances.

HITVARTA, Dec. 17th, 1908.

Punishment on Miss Taylor's murderer.

13. To the *Hitvarta* [Calcutta] of the 17th December the sentence of death passed on Shouldham and of transportation for life passed on Mullins for the murder of Miss Taylor appears to be quite a strange thing, for the fact goes to dispel the delusion, as the paper says, under which it has been so long labouring, viz., that a white man in this country cannot be hanged even for murder in accordance with the law.

BIHAR BANDHU, Dec. 19th, 1908.

Evidence of kindness and liberality.

14. The *Bihar Bandhu* [Bankipore] of the 19th December sarcastically characterises the severe sentences passed by the Sessions Judge of Allahabad and Nagpur, respectively, in the recent sedition cases against Ramhari, editor of the *Swarajya*, Allahabad, and Balwant Kolhatkar of Nagpur, as marks of their kind and benevolent spirit.

(d)—*Education.*

BURDWAN SANJIVANI, Dec. 15th, 1908.

Disaffiliation of certain law colleges in Bengal.

15. Referring to the disaffiliation of certain law colleges in Bengal by the Calcutta University, the *Burdwan Sanjivani* [Burdwan] of the 15th December says, that the Vice-Chancellor, Dr. Asutosh Mukerji, carried his point by sheer force of numbers, although men like Sir Gurudas Banerji, Mr. A. Chaudhuri, Mr. Justice Sarada Charan Mitra and Mr. S. P. Sinha were against the proposal. Dr. Asutosh so far forgot himself on the day of the Senate meeting, that the news of the undignified scene has spread far and wide in the country, much to his discredit. Alas, for selfishness!

THE SOLTAN, Dec. 18th, 1908.

Disaffiliation of law classes.

16. In noticing the new University regulations for legal education, and the establishment of model law colleges at Calcutta and Bankipore the *Soltan* [Calcutta] of the 18th December says, that it will cost a law student Rs. 50 a month for studying law. How many Muhammadan youths will be able to study law by spending so much money? The paper further says that, in effect, the new regulations will be a great obstacle to the progress of Muhammadans. The Hindus have money, and they may meet the increased cost of education and yet they are entering a strong protest while the Muhammadans are sleeping over the matter.

MIHIR-O-SUDHAKAR, Dec. 18th, 1908.

Disaffiliation of law classes.

17. The *Mihir-o-Sudhakar* [Calcutta] of the 18th December is of opinion that the disaffiliation of law classes in private colleges and the establishment of a model law college by the University will not only stand in the way of Muhammadan law students, but will altogether block their way to legal education. The paper also says that the new University regulations have almost blocked the way to general education of the Muhammadan students. It deplores the absence of a man who can speak in the interest of Muhammadan education, and enquires if there is no remedy for this state of affairs.

BASUMATI, Dec. 19th, 1908.

The disaffiliation of law classes.

18. Referring to the disaffiliation of law classes in some of the private colleges of Bengal, the *Basumati* [Calcutta] of the 19th December strongly condemns the action of the University in this matter. The paper enquires, if the present method of disaffiliation is adopted, will it be possible for private colleges to arrange for imparting legal education? While admitting the necessity and utility of a library of law books worth Rs. 10,000 in every law college, the paper is of opinion that such a hard-and-fast rule ought not to be adopted in this poor

country. The lawyers have a better opportunity of increasing their stock of legal knowledge in the actual field of action. The paper suggests that, for the benefit of the lawyers, Government should purchase law books worth Rs. 1,00,000 for every Civil and Criminal Court. It goes on to say, that instead of doing that, it is very wrong to disaffiliate any law college on a false pretext. It would have been honest of the University, if they had tried to introduce improvements gradually, and there would have been nothing wrong if five years' time were granted to equip a law library of the kind the University requires. Previously the Barristership examination was not a very difficult one. Many of the members of the profession acquired vast legal knowledge by studying law books at home. The authorities of the colleges disaffiliated had no opportunity of knowing what improvements were needed in their law classes to entitle them to impart legal education. The Advocate-General, Mr. S. P. Sinha, pointed out that the authorities of law colleges had yet to learn what other improvements besides the expenditure of Rs. 10,000 for equiping a law library are needed, and that it cannot be said that any of them have refused to meet the requirements of the University. Speaking of the Tej Narayan Jubilee College, Bhagalpore, the paper says that the authorities of that college, were not given sufficient opportunities to meet the University requirements. The University Inspector, in the course of his inspection of the college, intimated to the authorities that if they could not allot another Rs. 10,000 for the equipment of their law library, disaffiliation would follow. The authorities said that at present they were prepared to allot Rs. 2,000. Not a word was, however, said to them in reply: no further opportunity was given to them to think over the matter, and yet their law classes were at once disaffiliated. Those who could not agree with double Dr. Saraswati in this matter, had to content themselves with a rebuke from him.

The paper says that if the University have any intention of giving to private colleges the privilege of imparting legal education, let them know definitely what improvements they are to introduce to bring their law classes up to the University standard. But the paper suggests that the requirements should be reasonable, and such as the private colleges will be able to satisfy. There should not be any round-about way of strangling private law colleges to death, in which one petty item of improvement costs so much as Rs. 10,000. Elaborate improvements will doubtless cost Rs. 10,00,000, and there will be such costly equipment for Government law colleges.

19. The *Soltan* [Calcutta] of the 18th December says that this year no Muhammadan has been elected as member of the Syndicate of the Punjab University. The paper further observes that under the spell of flattery the Muhammadans will certainly go down to the bottom of destruction.

SOLTAN, Dec. 18th, 1908.

Non-election of Muhammadan members to the Syndicate of the Punjab University.

20. The *Basumati* [Calcutta] of the 19th December reports that the Bethune College has been merged into the Education Department of the Government. Some time ago Government addressed a communication to Babu Sarada Charan Mitra expressing a desire to manage the institution with the help of a small Committee. The President of the Bethune College Committee, Sir Francis Maclean, was then in England, and Babu Sarada Charan wrote to Government expressing the Committee's inability to arrive at a final decision in the absence of their President. On the return of Sir Francis Maclean the question was discussed at a meeting of the College Committee, and all the members, as well as the President and Secretary, in a body resigned their offices instead of embarrassing Government. Now the College is the *khas* property of the Government. Is that not somewhat strange? The fate of the Bethune College is the result of a policy which the Government have adopted of monopolising all branches of education.

BASUMATI, Dec. 19th, 1908.

Bethune College.

21. The *Bihar Bandhu* [Bankipore] of the 19th December referring to the abolition of the Law classes in Bihar observes as follows:—

BIHAR BANDHU, Dec. 19th, 1908.

Another bolt from the blue.

Bihari brethren! There is another bolt from the blue on you. When we saw that a chair for Hindi was created in the Presidency College simply as a

result of the agitation of the Biharis we expected that the Government would be ever kind to the Biharis, but we are sadly mistaken, for we see that the Senate of the Calcutta University has abolished the Law classes of the loyal Biharis. This has been very prejudicial to the interests of the Biharis. Miseries will now know no bounds. They are backward in education, still there is an attempt to make them suffer. Bihar has no Medical College, which deprives the Biharis of an opportunity to receive higher medical education. Over and above this, the Patna College has no M.A. classes, and now the Tej Narayan Jubilee College, Bhagalpur, and the Bihar National College, Bankipore, are to have no law classes. Hence we say that the heroism of Shah Madar (a Muhammadan saint) lies in killing one who is dead.

When the Biharis do not avail themselves of the opportunities of receiving education provided for them in Bihar it is not possible that they will ever think of going abroad for it. This bolt of the Senate has therefore been very injurious to their interests. The misfortune of the Biharis knows no bounds.

Bihari brothers, awake! How long do you mean to remain in darkness? See, what hard times have come. You must make your own arrangements for your education, for education will develop your mental powers. Make a little self-sacrifice therefore and adopt measures for your own education.

Those who go to Calcutta for education are subjected to various inconveniences, while it is impossible for Biharis of ordinary means to prosecute their studies for the M.A. examination in Calcutta. In conclusion, the paper suggests that the subscription raised for commemorating Sir Andrew Fraser's administration should be spent on the education of the Biharis, preferably on the construction of a hostel for the Bihari students.

(*g*)—*Railways and Communications including Canals and Irrigation.*

SANJIVANI, Dec. 17th, 1908.

The Eastern Bengal State Railway and Swadeshi Steamer Companies.

22. The *Sanjivani* [Calcutta] of the 17th December says that the opening of a number of Swadeshi Steamer Companies in Bengal, added to the efficiency with which they are being worked, has so much alarmed the foreign Steamer Companies in the country, that they have opened a new steamer line of their own with the object of ruining and killing the former. This new line having become a source of some loss to the Eastern Bengal State Railway, the Railway authorities expressed dissatisfaction in the matter. The new Steamer Company has, however, told the Railway authorities that the railway and the foreign Steamer Companies in the country should join hands in destroying their common enemies, the Swadeshi Steamer Companies. It now remains to be seen how the authorities of the State Railway will help the foreign Steamer Companies in killing *swadeshi* enterprise.

(*h*)—*General.*

DAINIK CHANDRIKA. Dec. 16th, 1908.

The recent deportations.

23. Speaking of the sudden deportation of Babu Krishna Kumar Mittra, Babu Sachindra Prasad Basu and Babu Syam Sundar Chakravarti, the *Dainik Chandrika* [Calcutta] of the 16th December says that these deportations have greatly terrorised the people of Calcutta. As the reason for these deportations was not immediately published, the incident altogether staggered them. It was known afterwards that by order of the Supreme Government nine Bengalis were deported from Calcutta, Barisal, Giridih, Dacca and Benares. The three men mentioned above are among the deportees. The folly of the Government has extremely grieved the paper. Firstly, the political views of Babu Krishna Kumar Mitra are diametrically opposed to those of the Extremists. He was all along engaged in political work on constitutional lines, and he is a man of ideal character. There was no possibility of his doing any mischief to Government, and hence his deportation has extremely grieved the people and they are apprehending a coming danger. The paper will he happy, if the Government immediately rectifies the blunder they have committed by deporting a man of such high character as Babu Krishna Kumar Mitra. Then, in the opinion of the paper, save and except Babu Aswini Kumar Dutta, nobody among the other deportees are men of fame and influence. The paper is at a loss to understand

why the Government is making these insignificant persons widely known. Deported persons easily secure some measure of popular love and devotion, owing to the impression in the public mind that Government deport those men of whom they are in dread. Is it politic to have this idea ingrained in the people's mind?

Then again as to Babu Aswini Kumar Datta of Barisal, while admitting that Babu Aswini Kumar has great influence among the people of that district, who can be led by a move of his finger, it can on no account approve his deportation. And that because it was Babu Aswini Kumar who kept the people of Barisal free from the present turmoil. It was also for his good advice that the Hindus and Muhammadans of the district lived in peace and amity. Aswini Babu is highly cultured and old in years, and has kept alive the *swadeshi* agitation on well-defined lines. Aswini Babu is not an enemy of the Government, but a friend. There was no possibility of his doing any mischief. Having regard to the present situation, the paper is of opinion that there is none among the officials who can make the Government realise the real situation of the country. It is probable that if Sir Edward Baker had known the real state of affairs, he would have opposed the deportations. The writer concludes by observing that the times are out of joint, and the people should act with due deliberation.

24. Referring to the recent deportations, the *Sanjivani* [Calcutta] of the 17th December says:— SANJIVANI, Dec. 17th, 1908.

The recent deportations.

Individual liberty is one of the peculiar privileges of the civilised British rule, and is supposed to be enjoyed by every citizen in the British Empire. We, therefore, firmly protest against these deportations. The time and the circumstances under which Regulation III of 1818 was passed exist no longer, and we think that the authorities have committed a great blunder by making the recent deportations. It is sure to have the effect of increasing discontent and aggravating excitement in the country. It is a mistake to think that silence always bespeaks contentment. The deportations, moreover will have no repressive effect on the *swadeshi* and boycott movement. When Government has not mentioned any offence for committing which the men have been deported, people are bound to think that they are really innocent, and we do not consider it necessary on our part to presume any guilt on their part and thus defend the action of the Government.

We do not personally know every one of the deported persons. But some of them we know very well, and know to be really honest and sober patriotic workers. It is chiefly owing to their influence that many hot-headed and thoughtless young men have been prevented from committing illegal acts. Has the Government acted wisely in removing such instruments of check on wrong-doing from the field?

It is our firm conviction that it is through such trials that our hearts will be purified and ennobled, our patriotic spirit will be developed, and we shall be made fitter to serve the cause of our country. To our countrymen we have to give this advice that they should work with their eyes mainly on the country; make it their principal object to do good to the country and adopt various means of serving the country. If possible, they should forget that the country is in the hands of foreigners. They should make their love of their country more powerful in their hearts than their hatred against foreigners. Let them dispel from their minds the idea that any country can become great through sin or unrighteousness. Let them be prepared for self-sacrifice and sufferings. And they should not allow their hopes to forsake them.

To the authorities we have to say that they should not forget that as rulers of a foreign country they bear a great responsibility. The people of every country have a natural right to live in peace, security, comfort and happiness, and to maintain their independence of mind. Those who deprive a people of this right, are guilty of an offence in the eye of God. It is, no doubt, their prime and principal duty to suppress rebellion, maintain peace and punish offenders. But they have to see that in maintaining peace they do not create unrest, or in punishing offenders they do not punish innocent persons. As for ourselves we do not know how we have committed any offence. We protest against the partition of Bengal, and that we shall go on

doing till that injury is redressed. We favour the boycott, and we do that from a sense of duty which no amount of suffering or oppression will make us forget. The present vagaries of raw youths in the country are the natural consequence of the utter contempt and disregard wtih which the authorities treated the perfectly constitutional agitatation against the partition of Bengal. We want a constitutional form of Government, and have given advice to our countrymen in that matter in a perfectly constitutional method. Again, the poverty and miseries of the people of this country are simply heart-rending, and the only means of ameliorating their condition is to develop the arts and industries of the country. And it behoves the Government to take these arts and industries under its fostering care. But the rulers are busy increasing the wealth of their own country only. It is with the greatest regret that we have to say that our rulers have not done and are not doing their duty to India in this respect. In this state of things, is it an offence on our part to forsake foreign articles and encourage home industries at even a personal sacrifice? And if we are to be punished for patriotism, may we bear this punishment with an undaunted heart, and may it serve to make us more patriotic and our hearts nobler.

BHARAT MITRA, Dec. 19th, 1908.

Deportation of Babu Sachindra Prasad Bose.

25. Referring to the deportation of Babu Sachindra Prasad Bose, the *Bharat Mitra* [Calcutta] of the 19th December observes that the *Sanjivani* has come to know that the deportation of Sachindra Babu has become an object of envy by many young men who have begun to question as to why only one man especially should have been deported when all of them worked with equal zeal towards the furtherance of the *swadeshi*.

BHARAT MITRA, Dec. 19th, 1908.

A rumour as regards the interception of letters of Babu Aswini Kumar Datta, a deportee.

26. The *Bharat Mitra* [Calcutta] of the 19th December is pained to hear that postal servants have under orders discontinued delivering letters addressed to Babu Aswini Kumar Datta, one of the deportees, or to any of the members of his family, and says that when Government has been pleased to allow him to keep a cook, this obstruction in correspondence does not appear seemly. The paper then observes that if the rumour is wellfounded Government had better do away with the interception of letters as this would go to show its greatness.

BHARAT MITRA, Dec. 19th, 1908.

The deportations.

27. To the *Bharat Mitra* [Calcutta] of the 19th December the recent deportion of some Bengalis appears to be a hundred times better than the troublesome days passed by the famous leaders of the country during the weary course of their trial, notwithstanding, as the paper says, the fact that most of the papers are crying out against such deportations.

BIRBHUM VARTA, Dec. 19th, 1908.

The deportations.

28. Referring to the recent deportations of Babu Aswini Kumar Datta and others, the *Birbhum Varta* [Birbhum] of the 19th December says that if by sending the men away for some time the general public can enjoy undisturbed peace then there is nothing wrong in these deportations. The paper goes further and writes that when men go away for a year or two for change of air, these deportations cannot be regarded as a sad affair. The journal advises the Bengal anarchists to put a stop to their activities.

NAYAK, Dec. 19th, 1908.

The deportation of Babu Aswini Kumar Datta of Barisal.

29. After giving a detailed life of Babu Aswini Kumar Datta of Barisal, the *Nayak* [Calcutta] of the 19th December says that the full delineation of his high character would require much longer space than the writer has at his disposal, and concludes as follows:—

He is our *guru*, our leader, our everything. He is incapable of doing anything objectionable or illegal. Why, then. official wrath against him? It is a riddle to us. His deportation is a severe blow to our heart.

HOWRAH HITAISHI, Dec. 19th, 1908.

The recent deportations.

30. The *Howrah Hitaishi* [Howrah] of the 19th December strongly protests against the recent deportations without trial as being quite unbefitting a civilized Government. A few years ago the people of this country could not imagine that such a barbarous law could find a place in the Statute Book of a constitutional system of government controlled and regulated by a civilized and self-relying people. It was only when the Natu Brothers were deported without trial, that

the Indians for the first time knew that an extremely heinous law like the old and worm-eaten Regulation III of 1818 could be recognised and acted upon on the eve of the dawning of the twentieth century in a perfectly well-governed country. After that about 18 months ago the public was for the second time astounded and panic-stricken by the deportation of Lala Lajpat Rai and Sirdar Ajit Singh under the regulation. And during the controversy that ensued both in India and in England on the subject of the deportation, Government failed to support it on any reasonable ground. But when the two deportees were unconditionally released within six months, people thought that they had seen the last of such deportations. But the recent deportations prove that the public were then mistaken, and that the Government will not shrink from following such a mistaken policy any number of times without caring whether its action is defensible or not.

Is not the administration of justice disgraced by having recourse to Regulation III of 1818? Are not the fundamental principles of British rule violated thereby? Even a murderer caught red-handed enjoys the privilege of defending himself in a British Court of Justice. And is it not a sign of deplorable weakness and unsteadiness of mind on the part of the authorities to deny this privilege to such educated men of a high order as Aswini Kumar Dutta and Krishna Kumar Mitra, who are really well-wishers of the country and respecters of laws? If it is necessary to have recourse to that regulation in order to suppress the so-called revolutionary movement in Bengal, why was the new Criminal Law Amendment Act passed? And if this Act is considered as an extraordinary provision for suppressing the revolutionary movement, why take the help of the old regulation in spite of it? It is a great misfortune for India that the authorities are not satisfied with only curtailing the privileges of accused persons in the matter of defending themselves. In fact, they do not want to give the accused persons the opportunity of any sort of trial or defence. They want to make their *ex parte* orders the highest law and the perfection of justice. But neither the rulers nor the ruled will profit by that. To punish a person without giving him an opportunity of being heard is against all principles of good government, and is a sign of political impotence. Babu Krishna Kumar Mitra was first arrested by the police, on its own responsibility, on the idea that he could be brought under the ordinary law, and it was only when it despaired of charging him with any offence that he was deported on an independent order of the Viceroy. If this is true, it proves that the police and the officials were urged by a *zid* to punish the innocent popular leader by any means. So long as the people of the country will not receive satisfactory proofs of the guilt of the deportees, they will continue to consider them innocent and follow the high ideas which they have preached and practised, and which have drawn the eagle eyes of the authorities to them. The deportations cannot, therefore, be productive of good, and the authorities are advised to disown the pernicious policy of deporting men without trial.

31. The *Bharat Mitra* [Calcutta] of the 19th December approves of the intention of the Government to provide means for the support of the family of the six Bengali deportees, and says that this act of Government would go to show its good-will as well as to lighten the difficulties of deportation.

BHARAT MITRA. Dec. 19th, 1908.

A generous intention.

32. Referring to the recent deportations, the *Daily Hitavadi* [Calcutta] of the 20th December says that the public ought to be made acquainted with the offence for which the men have been deported. Every one believes that a man like Babu Aswini Kumar Dutta is incapable of supporting secret association or murders, and is unable to make out why he has been deported. It is on the lips of every person that Aswini Babu was a true friend of his countrymen and was respected as almost a god. It was not in the political field alone that he rose to eminence. His sympathy with the poor and his efforts to alleviate their distress have made him adored by all. Even Sir B. Fuller highly praised his philanthropic activities during the last famine in the Backerganj district. It is not unnatural that the deportation of such a man should take the public aback; and that they should believe him and many of the other deportees to be innocent. The authorities should, therefore, take

DAILY HITAVADI. Dec. 20th, 1908.

The recent deportations.

steps to convince the public that they were not causelessly deported. Besides this, the purpose of punishment is defeated if its cause is kept concealed.

There has occurred another cause for uneasiness in the public mind. Some of the deportees are said to have been sent to Burmah, some to the Punjab, etc. It has not also been given out how long these gentlemen will have to suffer deportation. It is hoped that the authorities will soon enlighten the public in these matters.

SRI SRI VISHNU PRIYA-O-ANANDA BAZAR PATRIKA. Dec. 17th, 1908

The inconvenience of the public at the new sub-divisional head-quarters at Asansol.

33. Babu Sashi Bhusan Mittra of Kalipahari writes to the *Sri Sri Vishnu Priya-o-Ananda Bazar Patrika* [Calcutta] of the 17th December to complain of the inconvenience to which parties to suits are put at the Asansol Magistrate's Court and the Munsiff's Court. There is no house or shed where the litigating public may take shelter from the wind and rain or from the cold weather. There is no tank or reservoir of water to enable them to quench their thirst, or use the water for washing purposes, nor is there any eating house close by. The courts are situated at a place called Santardanga which is about four miles from the Asansol Railway station and the bazar. This is a source of great inconvenience to the pleaders and muktears. Ranigunge was far more convenient to the public, being centrally situated. Memorials to the higher authorities have produced no good results. As the authorities have paid no heed to the reasonable representations of the local public, the writer suggests that arbitration courts should be established in every village and all disputes should be settled in those courts.

The writer draws pointed attention to the contamination of the water of the Nune river by the efflux from the distillery owned by a European firm which is situate not far from the residence of the Subdivisional Officer of Asansol. The villagers who used to drink the water from this river can no longer do so owing to the offensive smell of the water, and their suffering and inconvenience are not inconsiderable. The attention of the Subdivisional Magistrate is drawn to the matter.

HINDUSTHAN, Dec. 19th, 1908.

Fomentation of race animosity in connection with indigo disturbance.

34. The *Hindusthan* [Calcutta] of the 19th December says that one of the first things which Sir Edward Baker should do is to sentence the people who are trying to convert the recent deplorable indigo disturbance in Bihar into a much more deplorable racial disturbance. It is hoped that His Honour will not allow himself to be led by any opinion which his predecessor may have formed in the matter, but will be led by the policy of Sir Peter Grant. His Honour surely sees the mischief that is being done by the followers of the *Englishman*. If the authorities are guided by the idea that every disturbance in the country is caused by the Bengal anarchists, they will soon scatter the fire of discontent throughout the country.

HINDI BANGAVASI, Dec. 21st, 1908.

The Indian Reforms.

35. Referring to Lord Morley's Indian reforms, the *Hindi Bangavasi* [Calcutta] of the 21st December remarks that although the rule of official majority in the Provincial Councils has been discarded, Lord Morley has not made provision for any such concession in the Viceroy's Council which reserves to itself the power to reject any scheme of the Provincial Council.

DAILY HITAVADI, Dec. 22nd, 1908.

The reforms.

36. In speaking of the reform proposals of Lord Morley, a correspondent of the *Daily Hitavadi* [Calcutta] of the 22nd December says that the proposed non-official majority in the Provincial Legislative Councils will not be so effective as it is expected to be at first sight, for the representatives of European Chambers and Associations who will form a part of this majority will, in practice, be more official than non-official in matters of public interest. Satisfaction is, nevertheless, expressed at the reforms. And it is proposed to hold public meetings for thanking the Government for them.

III.—LEGISLATION.

JASOHAR, Dec. 17th, 1908.

The recent legislative measures.

37. Referring to the recent legislation for the suppression of anarchy, the *Jasohar* [Jessore] of the 17th December gives expression to its sense of terror and bewilderment

at the prospect before the country. The paper is of opinion that nobody in the country can now consider himself safe, and the people have been altogether terrorised. There are few men, specially among the educated, who have not one time or other joined any society, association or meeting, or have not spoken in public. The prospect before these men is anything but pleasant. Hitherto everybody had his individual freedom of speech and action, but the recent Acts altogether change the aspect of individual liberty. People will now keenly feel their subjection to foreign yoke. Heaven alone can say if the result of the repressive measures will prove satisfactory. The loyal subjects of the Empire are bound to submit to the will of the Government; but the recent enactments have so much widened the gulf between the rulers and the ruled, that the hope of restoration of a cordial feeling between the parties cannot be expected. Finally, the paper adds that the political horizon has assumed the gloomiest aspect, and people are in dread of an impending danger, and concludes by saying "Let His will be done."

SANJIVANI, Dec. 17th, 1908.

38. Referring to the new Criminal Law Amendment Act, the *Sanjivani* [Calcutta] of the 17th December says, that considering the great powers that were already in the hands of the police and the authorities, there was no necessity to pass a new law for suppressing murder, dacoity, etc. The recent deportations prove this.

The new Law.

If it was necessary to shorten the procedure in certain criminal cases, there was no necessity to dispense with the jury.

The provision to admit the evidence of dead or absent witnesses, who have not been cross-examined, is very objectionable; for it will not be difficult for the police to manage to prove that the death or absence was caused in the interest of accused persons.

The definition of unlawful associations is vague and very wide. Under the new law the police will be able to implicate innocent men in crimes and close really inoffensive and useful associations. It is true that the sanction of the Government will be necessary for exercising this power. But it must be considered that the Government will gather all its information from lower Police officers.

The writer next supports Dr. Rash Behari Ghosh's amendment to insert the word "wilfully" in two places in the Act, and condemns the Government for not having accepted it.

DARUS SULTANANT, Dec. 5th, 1908.

39. In giving its approval to the Indian Criminal Law Amendment Act, the *Darus Sultanat* [Calcutta] of the 18th December finds that the Act, which is in accordance with what it already suggested in its issue of the 14th May 1908, has nothing in it to give rise to anxiety on the part of the innocent, and hopes that the offenders will be brought under its sweep ere long.

Indian Criminal Law Amendment Act of 1908.

HITAVADI, Dec. 18th, 1908.

40. Referring to the passing of the Indian Criminal Law Amendment Act, the *Hitavadi* [Calcutta] of the 18th December publishes the following leader:—

The passing of the new Act.

THE MEASURE FOR THE SUPPRESSION OF REVOLUTION.

The new measure for the suppression of Revolution was passed at last Saturday's sitting of the Viceregal Legislative Council. The special weapon, which, the Viceroy lately said, would be forged, has now been employed in uprooting the tree of unrest. But there are officials who are still unsatisfied, and they have gratified us with the assurance that severer measures will be introduced in future.

The English Government have in the past suppressed revolutions with the help of the (here some words are illegible). First, there is the trial under the Penal Code and the punishment prescribed by it; secondly, there is deportation without trial. The new Act does not, indeed, entirely dispense with trials, but the regular trial has been truncated in many particulars and a new procedure has been brought into existence. If a prosecution be conducted under the new Act, the accused will have very little chance of escape. The Government have, on the whole, accepted the recommendations made by the Bengal Chamber of Commerce, the Trades Association and the

Anglo-Indian Defence Association; but they have not accepted their recommendation about selection of the Judges. The chief points in the recommendations of the three Associations were:—

(1) The trial should be held by three Judges of the High Court; (2) there should be no jury; and (3) the recorded statements of a witness who may be murdered should be accepted as evidence. All these recommendations have been incorporated in the new Act. But the recommendation of the Bengal Chamber of Commerce that of the three Judges one should be a European Barrister, one a European Civilian, and the third an Indian, has not been accepted. The Act does not lay down what classes the Judges should belong to, so that the authorities have, in this respect, set aside the suggestion of the three Associations.

The provisions laid down in respect of enquiry and the granting of bail will also expose the accused persons to endless trouble. At the time of the enquiry by the Magistrate, neither the accused nor his pleader or Barrister will be allowed to be present; and the accused will be arrested and sent to *hajat* if only the Magistrate is satisfied with the report of the Police. The High Court trial will come next. The accused must remain in *hajat*, and while there he may arrange his defence as best as he can, and the Government will not object to that. But no appeal will lie against the judgment of the Special Judges. There is no doubt that this system will ensure a speedy termination of the trial; but how far the accused will get justice is open to serious doubt. Although the trial will be held at the High Court, the authorities object to a trial by jury; why this should be so is not clear to our mean understanding.

However that may be, the trial will be held under these conditions. though before a person is prosecuted under this Act, the sanction of Government must first be obtained. Many people are of opinion that this provision will give the police very little opportunity of harassing the innocent. But when we recall to our mind that in the Midnapore case the Police also acted under Government orders, we become very much sceptical about the value to be placed on this supposed safeguard. So much for the first part of the Act. The second part is even more serious. This part strikes at the associations and *samitis*. Government has been informed that many *samitis* have come into existence in this country, which are hot-beds of sedition, and that all the dacoities and anarchism in the country are due to their teaching. Government has, therefore, laid down that henceforth all persons conducting, joining, or encouraging these *samitis*, as also those who will sympathise with them by paying subscriptions or otherwise, shall be punished with imprisonment or with fine or with both. The term of imprisonment has been fixed at three years for the present. The authorities say that mere formal dissolution of the *samitis* or change of names will not absolve the members thereof from liability to prosecution and punishment. If the authorities have reason to believe that the work of the *samitis* is going on in spite of their ceasing to exist then the persons continuing the work will be prosecuted. The confidential report of the Police will, it is needless to say, be relied upon in taking action in such cases.

Let the reader imagine how terrible are the further powers which have been given to the Police. Whoever may be suspected by them to be connected with any society will be prosecuted and the accused person must prove his innocence. Can there be a nicer arrangement than this? Dr. Rash Behari Ghosh proposed the amendment that only those persons who knowing the real objects of a society join it or pay subscriptions to it should be proceeded against. But the official majority in the Council was too strong for Dr. Ghosh's excellent amendment, which was rejected.

Sir Andrew Fraser said that before the new Act was passed, its necessity should be explained to the public, and Sir Harvey Adamson delivered a long speech advocating that necessity. In that speech he cited the supposed guilt of persons who are still to be proved guilty, as a reason in support of the measure. If any other person had expressed such an opinion about a case which was *sub judice*, he would have been guilty of contempt of court. But Sir Harvey, who was the Chief Justice of the Chief Court in Burma, is now the Home Member of the Viceregal Council. Consequently, he, of all men, can never be

held guilty of such a crime. Rather, persons who will find fault with these utterances of Sir Harvey will perhaps find themselves hauled up for sedition. There is a trite saying, "It is all harmless dalliance with the gods, when mortals are concerned," and we see the truth of this saying fully exemplified in the speech of Sir Harvey.

Most of the members of the Imperial Legislative Council have supported this new measure. Sir Edward Baker, our new Lieutenant-Governor, said that although he had not the opportunity of offering his advice when the new measure was brought into existence, yet he supported it with his whole heart; and His Honour threatened that a much stronger measure might be necessary in future. We are gratified indeed to hear these words from His Honour's lips in support of the policy of repression, and that just in the beginning of his administration. Sir Edward said that most men in England considered such a strong measures necessary. What can we say after such a declaration? The desires of those at whose will the wheels of our fortune are turned, have now been fulfilled.

The famous Nawab Salimulla said that the measures now passed was not sufficiently strong and that a much stronger measure was necessary. The Nawab further said that he had proposed such a stringent law two years ago, and that if his suggestion had been acted upon, anarchism could never have attained such formidable dimensions. The Nawab can of course very well say so, but he also said at the time that there was no necessity for any reform, as the administration was being carried on very satisfactorily. Lord Minto, however, paid no heed to that utterance of his at the time, nor does His Excellency do it now. Perhaps the Nawab Bahadur has forgotten to administer a mild censure to the Viceroy for this.

Most of the English papers at home, as also the Anglo-Indian papers, are rejoicing at the passing of the new Act. But the *Statesman* says that it is not so stringent as it was expected to be by the public.

Our contemporary perhaps has not reaped the fullest satisfaction from this measure. But the regret he feels will probably soon pass away. We have nothing to say in this connection. These are days of repression and consequently the terrible character of the new Act has not surprised us. What now remains to be done is a provision for transportation for the boycott of British goods. But the new Act will, perhaps, accomplish that object also.

41. The *Mihr-o-Sudhakar* [Calcutta] of the 18th December, under the heading "New Act for the suppression of anarchy," writes:— MIHIR-O-SUDHAKAR Dec. 18th, 1908.

The new Act.

The Bill which was introduced in the Supreme Legislative Council, some days ago, for the suppression of anarchy having been passed into law on the 11th December, is now on the statute book. A perusal of the speeches delivered on the occasion of passing this new legislative enactment will make many people admit that the repressive measures which we had been advocating for nearly two years have now been adopted though late. Our sole aim is to establish peace in the country, and that is why we advocated the necessity of repressive measures to uproot the evil of anarchy. We would not have heard of these repressive measures but for the repetition of dastardly deeds and the apathy of newspaper conductors and public men in the matter of putting down unrest. Indeed, the broad-mindedness and forbearance of the Government of Bengal, as well as of the Supreme Government, is very praiseworthy and could not be expected from any other Government.

When the *swadeshi* agitation and the boycott movement were first set on foot for undoing the partition of Bengal, we said that there could not exist any relation between these movements and the partition and that the agitation was not for the benefit of the country. We hold the misguided and ill-educated men of the country responsible for the introduction of repressive measures. Who is responsible for the new Act, which no Indian ever dreamt of? We admitted the imperfections of the Indian Penal Code, and that because of the way in which the conspiracy cases are proceeding and of the long time it would take for their final disposal.

We admit that the action of the Government in introducing repressive measures has dissatisfied a great many people. But those who earnestly desire the

establishment of peace and think it their bounden duty to support the Government and the genuinely loyal subjects of the Empire will approve and in fact have approved, the new Act. In countries where criminals are tried under the Criminal Procedure Code, offenders against the State, *i.e.*, anarchists, nihilists and revolutionists, are not tried under the same Act. Such offenders are banished or condemned to death. The Indian Government even in this crisis have not adopted those drastic measures, but have taken a middle course. Let our readers see for themselves if there are defects in the new Act. The Lieutenant-Governor Sir Edward Baker doubted if the working of the new Act would be effective in its results. In the opinion of His Honour the provisions in the Act for the suppression of meetings and Associations were, on the whole, not strong enough. A great many men will agree with His Honour on this point. We, too, find a serious defect in the new Act, namely, the absence of any provision for easily detecting the crimes of the anarchists. So long as the general public will sympathise with the criminals and will not come forward to report the movements of criminals, it would not be an easy affair to detect and arrest criminals. The people ought to detest the anarchists, and they are detested in other countries. But in Bengal, to make people detest anarchists, the only means is the strong writing and advice of newspapers. Unfortunately at the present time the majority of newspapers are misguided and followers of a wrong policy.

If the legislative measures of the kind which have been enacted in Ireland for detection of offenders against the State are introduced in this country, there will be little difficulty in detecting offenders in Bengal. However, the Lieutenant-Governor has distinctly said that he will strictly enforce the provisions of the new Act, and if they fail, he will ask for further repressive measures.

SOLTAN, Dec. 18th, 1908.

The Criminal Law Amendment Act.

42. The *Soltan* [Calcutta] of the 18th December gives a brief summary of the provisions of the Caiminal Law Amendment Act and condemns it by implication.

BHARAT MITRA, Dec. 19th, 1908.

Regulation III of 1818 and the new Act against anarchy.

43. The *Bharat Mitra* [Calcutta] of the 19th December has the following on the operation of Regulation III of 1818:—

Considering that the Viceroy had to make use of Regulation III of 1818 even after passing the Indian Criminal Amendment Act, are we to understand that the new Act of the 11th December did not appear to him more effective than the former?

BASUMATI, Dec. 19th, 1908.

The new Act.

44. The *Basumati* [Calcutta] of the 19th December observes that the passing of the new Act is the result of the repressive policy of the present day. The paper is of opinion that there can be no doubt that what was said in enacting the measure was partly reasonable. The Government say that much time is lost in trying conspiracy cases and other political offences, and that much mischief is done thereby. This is true. The slow dragging of a trial for months causes loss on all sides. It is the bounden duty of the Government to see that these cases are finally disposed of with promptitude. Even admitting all these it cannot be said that an Act which offers all the facilities to one party will secure the approbation of the general public. There can not be any objection to Government taking measures for suppressing and severely punishing anarchists. But if in doing this Government enacts legislative measures of a kind which will result in the persecution, prosecution and punishment of thousands of innocent people the effect will be equally bad both for the rulers and the ruled. Justice is the keystone of official prestige. If justice is hampered and through the intricacies of law innocent men are punished, discontent will increase to an alarming extent. If an innocent person be punished, his friends and relations will lose all faith in the privisions of the Act. That is why in all civilised countries laws are enacted with great caution and care. "Let hundred offenders be acquitted but let not one innocent person be punished" is the underlying principle of a liberal policy. In no circumstance should the rulers ignore this liberal policy. The paper takes strong exception to the provisions of the new Act which empower the enquiring Magistrate to refuse or allow, at his discretion, the presence of an accused's pleader or relation on behalf of the accused and to the ex-parte enquiry to be held by the Magistrate before commitment to the High Court. The

paper thinks that the provision for Court Martial trials are better than this. The provisions of the new Act are contrary to the provisions of the Criminal Procedure Code. The new Act offers no facility for defence to an accused person, and under it the Police will have their own way. The authorities may say the Magistrate will make an impartial enquiry, but is that always possible? Even with the best of intentions, Magistrates fail to see through the tricks of the prosecution party without the help of Counsel, vakils and witnesses on behalf of accused persons. How many Magistrates are there who will prove themselves above Police machinations? Can the authorities deny that the provisions of the new Act will make it impossible for an accused person to protect himself against Police machinations? Section 7 of the new Act provides that if a Magistrate finds that there is sufficient proof and justification for committing a case to the High Court he will arrange to supply the accused with copies of necessary papers. But there is no mention in the Act when and how many days before the trial begins at the High Court the accused will get the papers. The members of Council in one voice said that it is for the speedy trial of political offenders that the new Act has been enacted. Therefore, there is no doubt that the High Court Special Bench will be formed and begin to hold a trial very soon after an accused has been committed by a Magistrate. A supply of copies of papers to an accused on the eve of his trial in the High Court will in no way help either an innocent man or an actual offender. In all cases it will be a triumph for Police machinations.

The provision for allowing bail to an accused person is a strange one. He will rot in *hajut* as long as the Magistrate and the Police desire, and it also depends on the Magistrate to grant or refuse bail.

The paper disapproves of the procedure to be adopted in trying cases by the Special Court of three High Court Judges, and is at a loss to understand why there will be no jury trial. It also speaks of the advantages of jury trial, and emphasises the necessity of the presence of the jurors to decide on facts placed before the Court. In the trial of offences against which provisions have been made in the new Act, the help of jurors seems to be essentially necessary. Trial of offences under the new Act without jurors is likely to result in failure of justice. But perhaps the authorities think that all men of the country are discontented and bear ill-feeling towards the officials.

Section 13 of the new Act provides for the admission by the special Court of evidence given by a man in the lower Court dies or who murdered is subsequently or is absent. Evidence of such witnesses will be admissible if only the Judges think that the death or absence of those witnesses has been caused in the interests of the accused. The paper cannot support a clause like this—which is neither logical nor reasonable. With a wicked and incapable Police the working of the new Act will produce results which can better be imagined than described. The character of the Police can be found in Sir Andrew Fraser's Report on the Police Commission, and as striking illustrations, the cases of Iswar Napit of Howrah and Manik Chand Choukidar of Krishnanagore may be cited. The Police again come in for strong condemnation and the paper asserts that they will adopt all sorts of nefarious methods to get up false cases and persecute and punish innocent persons.

In a country where the Police are worthless and where a class of men can devise all sorts of nefarious methods for the sake of vengeance, the result of the working of the new Act can be easily imagined. However, the paper believes that however rigorous the Act may be, if it is worked with patience and care it cannot produce any bad result. But the chances are against such happy anticipations. The only word that can be said in favour of the Act is that its provisions cannot be enforced without the sanction of the authorities, and no trial will take place without the permission of the supreme Government. The writer hopes that Lord Minto and his advisors will act with a cool head.

45. In commenting on the new Criminal Law Amendment Act, the *Howrah Hitaishi* [Howrah] of the 19th December begins by saying that it has no liking for secret associations, secret murders, seditious conspiracies and the like. Thorns of this class should be eradicated as soon as possible. The new law has, nevertheless, given the police such extravagant powers as to make it possible for innocent and inoffensive men to be persecuted by them.

The Criminal Law Amendment Act.

HOWRAH HITAISHI, Dec. 19th, 1908.

The authorities ought to have consulted the men of light and leading in the country before passing this law. Instead of this, they not only thought it unnecessary to consult public opinion in the matter, but also took every care to prevent the public from getting any opportunity to express it. This spirit of slighting public opinion and avoiding it as a nuisance has been rampant since the time of Lord Curzon.

The principal novelty of the new law is that for securing justice and establishing peace, there has not been taken even a hundredth part of the care that has been taken for securing speedy trials and destruction of unlawful associations. The English principle of justice has thus been violated in the law.

The sections that have been included in the schedule, all relate to cognisable offences. In cases under these sections the police prosecutes, collects evidence for the prosecution, and arrests accused persons. Under sections 3 and 4 of the new Act, the Magistrate, who is the head and supporter of the police in the district, will make *exparte* judicial enquiries, and record police evidence in private. The beauty and novelty of this procedure hardly require any elucidation. On the one hand, the Magistrate will, as the head of the Executive in the district, conduct and manage the arrests and prosecution of the accused, and on the other hand, as a judge he will record prosecution evidence and frame charges in the absence of the accused, their pleaders and the public, and send them up for trial to the High Court. If it was necessary to provide for a speedy mode of trial, this ought not to have been done by curtailing the right of accused persons to defend themselves. Besides this, there appears to be no reasonable ground for forbidding counsel of accused persons and the public to be present in the preliminary enquiry and leaving the question of the attendance of accused persons also to the discretion of the Magistrate. The Midnapur Bomb case proves that such a procedure may lead to serious miscarriage of justice and judicial high-handedness. In fact, the prosecution has been armed with every advantageous weapon, and the defence has been stripped of every shred of privilege up to the stage of a case being sent up to the High Court for trial. The prosecution has also been given the privilege of producing altogether new evidence in the High Court and thus correcting any discrepancy that may appear in the prosecution evidence as produced before the investigating Magistrate. Besides all this, accused persons, whether subsequently proved to be innocent or not, will have to suffer *hajut* if only the Magistrate suspects them to be guilty.

Again, there can be no greater partiality than to deprive accused persons suffering under so many disadvantages, of the privilege of being tried by a jury knowing the language and the conditions of the country. The provision empowering the High Court to accept the evidence of dead or absent witnesses gives the police a dangerous weapon, for it will not be difficult for them to set up a witness, like the notorious Rakhal Chandra Laha of Midnapur, before the investigating Magistrate, and subsequently putting the responsibility of his death or absence on the shoulders of the accused persons.

Again, the provisions of Part II of the Act will have the effect of putting even the most innocent and useful associations in the power of the police, for the higher authorities must perforce depend in these matters on the report of lower police officers. The procedure to be adopted for punishing people connected with unlawful associations is also strange and unique; for the burden of proving that a person was wilfully connected with such an association has been removed from the shoulders of the police. The legislators did not shrink from rejecting the quite reasonable amendment proposed by Dr. Rash Behari Ghosh in the matter. In conclusion, the writer says that the new law will, by placing too much power in the hands of the police and the Magistrate, make all sorts of constitutional political agitation liable to be killed, and yet fail in its object of checking the progress of sedition and anarchy in the country. Many people even fear that it will serve to aggravate the present situation instead of allaying it.

HINDUSTHAN, Dec 19th, 1908.

The Criminal Law Amendment Act.

46. Referring to the dispensing with the jury in trials under the new Criminal Law Amendment Act, the *Hindusthan* [Calcutta] of the 19th December says that the reason for which jury trials were dispensed with

in the high Crimes Act does not exist in India. In Ireland the jury used to consist of fanatical Irishmen themselves, but in India the authorities may select jurors from any class of men they choose in preference to any other class. For instance, if it is desired not to appoint any Bengali Hindu as a juror, all jurors may be selected from the ranks of Englishmen, Scotchmen, *Firinghis*, etc. As for the opinion expressed by Sir Harvey Adamson that the jury system is still in its infancy in India, it only shows the unfathomable depth of his ignorance. As a matter of fact, trial by jury was the universal practice during Hindu supremacy in India, not only in criminal but also in civil cases.

47. The *Bangavasi* [Calcutta] of the 19th December says:— BANGAVASI, Dec. 19th, 1908.

The Criminal Law Amendment Act of 1908.

Though it is not to that extent as was rumoured everywhere, still what has been done is terrifying. The new Act for governing the country, about which the Viceroy had given some hints, is now enacted.

It is said that so long as the cause of fear does not come, it is to be feared, but on its appearance, one must try one's level best to remove it. From the day on which the Viceroy had hinted about the creation of a new weapon for governing the country we were afraid; but now that it is forged and arrangement has been made for its use, what remedy is there for it, specially as the Government has done it? There is a remedy, however, and that is to act in such a manner as not to give any occasion for its use. None can show disrespect to law, and there is no way but to act in such a manner as to give no opportunity for its use. If the disturbances should cease, there would be no necessity for its operation. Those who have enacted the new law, have given the hope that there would be no necessity for permanently keeping it when disturbances would cease. Then we see that the remedy lies in the hands of the people of this country. The new Act has been enacted for those only who have created the disturbances, and they are responsible for the Act which terrifies the whole country.

By the law that has been enacted, it is possible that many times there may be trouble to many innocent persons. Would not the creators of the disturbances ponder over this even for a moment?

We again ask, would not this too bring the creators of the disturbances to their senses? Such acts are against the teachings of the religious books. Surely, there was no necessity for such a stringent measure. Is not the previously enacted Explosives Act sufficient to quell the disturbances? That Act and the two previous ones, namely, those for the closing of meetings and the gagging of the Press, had their effects, and the Regulation of 1818 about deporation is still in force. Why then this stringent measure? The only answer to this is that, as great delay is made in deciding sedition cases and as much money is wasted, an arrangement had to be made for speedy trials. It seems to us that if abler Police officers be appointed, the true culprits would be found out and true evidence would be collected, whereby there would be no possibility of any delay in deciding cases. Surely the authorities ought to have waited a little longer. Some of those who had created disturbances have been punished, and there is the likelihood of some of those who are accused being punished. Such being the case, the disturbances would surely have ceased. At least, the results ought to have been awaited for some time. Without sanctioning a new and a hasty law in one day, the Government might have tried to allay the disturbances by another method which is being followed in some cases. We cannot say that there is a total lack of gentlemen in the Police, and we hear that in some places, in the course of house searches, the Police officers call the young men of the locality and give them good advice and ask them not to associate themselves with seditious matters, as one is sure to be punished when doing so within the mighty British Empire, and as a result of their actions the peace of the country would be disturbed. It will do harm to the King without doing any good to the country. Those who create disturbances, do not communicate their resolution to any one, and even their friends and relatives do not know anything of their acts. As a result, when many young men were accused and punished on the appearance of disturbances, surely the parents and guardians of all the young men of this

country gave them good advice. Was there no possibility of a good result following? The Government would not have felt it necessary to enact one of the most stringent of laws, if only it had made arrangement for the good training of the young men and for arousing religious tendencies in them. The result would have been very beneficial.

As a result of the new Act, the disturbances may cease; but the people will always feel uneasy about it. Is there no possibility of the whole country being terrified if even a single innocent man be put to trouble?

However, now that Government hopes to suppress the disturbances by speedy trial, we earnestly hope to see its fulfilment. As the law has been passed, we must obey it. But we are bound to say a few words regarding its promulgation. The sections in the Act about meetings or associations are totally unintelligible to many illiterate rustics. These sections are most serious ones. Any meeting or association which will be considered unlawful would come under their scope, and any one having any connection whatever with them, *e.g.*, in the shape of giving subscriptions, would be liable to punishment. If there be any secret seditious association in the country, and the members of it collect subscriptions for a good cause, *e.g.*, for worshipping Kali, then those subscribing to it are liable to punishment. This was the reason why Dr. Rashbehary Ghose wished to add the word "knowingly." It was said in reply that the accused persons were empowered to adduce evidence to that effect. But one who is an accused is always at his wit's end, and cannot do so, and none would dare to give evidence on his behalf. As Dr. Ghose's word was of no avail, it is useless to discuss it. But it is now the duty of Government to see that even the illiterate persons understand the Act rightly, as great danger may happen to many from misinterpretation.

Many sections of the Penal Code are embodied in this Act, and political dacoity in the course of satisfying one's malice against the Government officers, theft, etc., may come under its scope. So, the Government ought to circulate the Act by clearly writing out the sections. What kinds of meetings and associations are unlawful ought to be written out in clear and easy language. Now that the Act is passed for Bengal, arrangements ought to be made to enable every Bengali to understand it.

HITVARTA Dec. 17th, 1908.

Indian Criminal Law Amendment Act.

48. In giving the substance of the recent Indian Criminal Amendment Act and of the speech of the Hon'ble Member introducing it, the *Hitvarta* [Calcutta] of the 17th December prefaces it with the following heading in bold type:—

A couple of new laws.
A thunder bolt on Associations and Samities.
One killed and the other gone.
New rules in two hours.

HINDI BANGAVASI, Dec. 21st. 1908.

The Public Charities Accounts Bill.

49. One Goswami Sri Krishna Chandra Deb of the Radha Gobinda temple, Brinpaban, writes to the *Hindi Bangavasi* [Calcutta] of the 21st December to say that the new law, namely, the Public Charities Accounts Bill, will be a source of trouble not only to the trustees but also to all well-wishers of religious places. Should this Bill pass into law, the enemies of the orthodox faith will be a source of constant terror, even more than the bomb-throwers, to the followers of that faith. No doubt the trustees stand in need of some control, but that control is well provided by section 539 of the Civil Procedure Code (section 92 of the new Code shortly to come in force). It is not known what social and political good has been achieved by these so-called salvationists of this country, but they have just sown the seeds of dissension between the rulers and the ruled. The followers of the orthodox faith are just now living in peace, have nothing to do with *swarajya* and bless him in whose kingdom they live. Should this law be passed, unrest would be created among them, and the seeds of opposition to the Government would be sown. It is therefore hoped that the Bill will not be passed, and the terms of the Queen's Proclamation of 1853, reiterated by His Majesty the King on the 1st of November last, will be followed.

VI.—Miscellaneous.

50. The *Pallivasi* [Kalna] of the 9th December speaking of the present situation observes that Government seem to be of opinion that they would be able to terrorise the people by the introduction of repressive measures. The repressive measures introduced during the last three years have resulted in an wider spread of discontent. The paper apprehends that Government will go further in their repressive policy, but the result is not likely to be of a desirable character. The paper is convinced that peace cannot be restored without a policy of sympathy and conciliation. It is difficult to establish peace by brute force. Even the brutes can be brought under subjection by love, and the paper suggests that the Government ought to love the people, and points out that that will not, in the least, affect the prestige of the Government; because forgiveness is the prerogative of the powerful. The paper finds that some influential men of the country are eager to restore peace. It, however, says that all efforts for re-establishing peace will prove futile, unless the proper means of achieving the end is devised. The writer concludes by stating that the cause of the unrest is the partition of Bengal, and asks if re-establishment of peace can be expected without undoing the partition.

Pallivasi, Dec. 9th, 1908.

How to deal with the situation.

51. The *Darus Sultanat* [Calcutta] of the 18th December has the following on the subject noted on the margin in continuation of its first three articles successively noticed in the foregoing Weekly Reports on Native Papers:—

Darus Sultanat. Dec. 18th, 1908.

Remedy for political unrest.

It is a decided fact that sedition has given rise to anarchy in the country. I have repeatedly pointed out that leading persons should use their influence with the people in eradicating the evils. So long as they do not work in harmony with the Government towards the common end, the mischief spread in the country by a few misguided persons, may not probably show signs of decrease. The editors and speakers should imbue the public with loyal feelings. This is the time when all the well-wishers and persons whose public services have been recognised by Government, should grasp the opportunity of showing the best result of their influence with the public.

We do not deny that freedom of the Press and lawful criticisms have done good to the country and to Government too. But we do not in the least support poisonous and hostile criticisms directed against Government, and we hold that readers of newspapers should not be deceived with the idea that the distress, poverty and famine in India are due to a foreign Government which is not sympathetic and just in its rule.

We cannot but show our loyalty to His Majesty the King-Emperor of India. Some persons may think that Government can exercise its powers to suppress sedition and agitation in the country, but it is too far from what is loyal and faithful on the part of the people to increase mischief to such an extent that Government may be compelled to suppress it.

It is highly painful, and indeed shameful too, to find that boys, while prosecuting their studies in schools and colleges, are ingrained with seditious ideas to an extent that make them take an oath to make attempts on the lives of officials. We appeal, therefore, to all the members of the influential societies to endeavour to eradicate the evil from amongst them and promote peace and order in the country. This will be useful for the whole of India, especially for the nation among whom the idea of sedition has crept in.

52. The *Dainik Chandrika* [Calcutta] of the 19th December speaks strongly against the Extremist speakers who have made it their business to spoil the student community by making them go out of their way in joining political meetings and agitations. Committees, lectures and speeches have worked a great mischief, and the writer condemns these as western evils.

Dainik Chandrika, Dec. 19th, 1908.

Extremist speakers and students.

53. Referring to the ensuing Congress at Madras, the *Bangabandhu* [Calcutta], after characterising it as a sectional gathering without the support of the country as a whole, says:—

Bangabandhu, Dec. 14th, 1908.

The ensuing Congress at Madras.

Now, the question is whether old Congress men in Bengal should join the Madras Congress. We are of opinion that they should never join it.

Could anybody willingly submit to all sorts of humiliation, flogging and punishment for the sake of the boycott and picketing, for taking part in which there is now loud wailing in every house, if he were not convinced of their usefulness and importance? The principle of boycott is part and parcel of the Bengali's existence. How can the Bengali join a Congress meeting where that principle is not going to be recognised? The Bengali can never agree to the abandonment of the four resolutions advocating *swadeshi* and boycott, national education and *swaraj*.

HITVARTA, Dec. 17th 1908.

54. To the *Hitvarta* [Calcutta] of the 17th December says that the Congress problem is becoming more and more complicated every day and the question for the Unionists is how to solve it. Mr. Surendra Nath Banerjee and his party are going to the Madras Congress. They are quite welcome to do so. To join a party the leader of which has called the leaders of Bengal like Surendra Nath and others names is good in itself. But we have every hope that none who has a grain of self-respect in him will go to Madras to be disgraced there.

The Congress problem.

The paper then enumerates the objections to joining the Madras Congress, such as, want of jurisdiction of the Allahabad Convention to frame rules which should be binding, the Members of the Conference could not be considered as the representatives of the people in disregard of public opinion by the Allahabad Convention, and the refusal by the Conventionalists to the proposal of the Nationalists for a United Congress, and observes that to attend the Madras Congress means to support high handedness and therefore it is no use joining it. The paper is in full accord with the objects of the Nationalist party and is an advocate of *swarajya*, *swadeshi*, boycott and National Education, for to recede from its position in the Calcutta Congress is to it simply suicidal. It is, however, not in favour of holding two Congresses, for it believes that its views would be shared by the majority of the public in the course of the next two or three years. The Government, says the paper, is just now assisting a few of our self-conceited leaders; a great storm is therefore blowing over the country and the best course for the people is to quietly submit to it, else we are sure to be blown away. The paper hates anarchy and is an advocate of the constitutional methods of agitation and differs from the other party in only having self-reliance for its motto and says that all its present troubles are due to it.

BIHAR BANDHU, Dec. 19th, 1908.

55. The *Bihar Bandhu* [Bankipur] of the 19th December has the following:—

Bihari delegates to the Nagpur Congress.

Our worthy contemporary of the *Hindi Kesari* has asked us to send more delegates to the Nagpur Congress than is to be ordinarily expected and we are thankful to our contemporary; but we regret our utter inability to comply with his requests. Bihar is a province where the people fear to attend meetings to hear a Nationalist speak even on a subject utterly unconnected with politics and to preside at such meetings; where the people are out of themselves for fear at proposals of substituting Nagri for English in all the transactions of the National Congress; where the people run away from the place where they see the photo of the great Tilak, and ask the Editor of this paper to change his views; and where the people do not fail to assure the Government of the prosperity of their province even when it is in the grip of famine. To expect more delegates from such a place is, therefore, simply impossible.

HITAVADI, Dec. 18th, 1908.

56. The *Hitavadi* [Calcutta] of the 18th December expeesses deep sorrow for the demise of Lady Clarke and sympathises with His Excellency Sir George Clarke, in his sad bereavement.

The demise of Lady Clarke.

SOLTAN, Dec. 18th, 1908.

57. The *Soltan* [Calcutta] of the 18th December observes that it is very desirable that delegates should be sent by all the Muhammadan Associations in Bengal to attend the All-India Muhammadan Educational Conference to be held at Amritsar on the 27th, 28th, and 29th December current. On the 30th and 31st the All-India Muhammadan League will hold their meetings there. It is also a very important meeting showing, as it does, that the Muhammadans have at last taken courage to talk of politics after so long.

Muhammadan education and politics.

58. In a leading article the *Soltan* [Calcutta] of the 18th December addresses the Muhammadan young men as follows:— SOLTAN, 18th Dec., 1908.

An address to Musalman young men.

You are Musalmans and you say that you are the servants of *Khoda* and His worshippers. But we plainly see that you are neither *Khoda's* servants nor do you worship truth. You are the slaves of selfishness, of passion, of luxury, of *lats*, of Magistrates, of the police, of the Zaminder and the Nawab; you are slaves of oppression, of the wicked and the vicious; you are *pusca* slaves of terror, of Satan, of sin, of meanness, weakness and imbecility. May we ask if any manliness can reside in so much slavery? Even if a single sort of slavery exists, not to speak of such diverse kinds of slavery, there can be no manliness, and the mind cannot be independent. If the mind be not independent, fearlessness can not exist. If a man be not fearless, he cannot worship truth; hence manliness cannot be roused in him, without which salvation of self is impossible and people cannot know themselves. How can a nation be saved without salvation of self? How can a man save others if he can not save himself?

59. The *Soltan* [Calcutta] of the 18th December is extremely sorry for Munshi Muhammad Raizuddin Ahmad, one of the editors of the *Mihir-o-Sudhakar*, who has been punished with a fine for using indecent language in his work on widow re-marriage. The paper says that the Munshi Saheb was engaged in beseeching the Government for the introduction of repressive measures. The paper asks the Munshi if the repressive laws have been enacted only for the Hindus and the *Soltan's* party or for other Muhammadans and the *Mihir-o-Sudhakar* party as well. The Munshi has kissed the feet of the Government since the days of *swadeshi* agitation, and yet the same Government has punished him for using indecent language towards the Hindus. The Munshi is asked to note that if there be a fire in one's quarter or in a neighbour's house, he will not be able to keep his own house safe from the fire. SOLTAN, 18th Dec., 1908.

The *Soltan's* remonstrance with the Editor of the *Mihir-o-Sudhakar*.

60. A contributor subscribing himself as a Bihari, has written to the *Bihar Bandhu* [Bankipore] of the 19th December an article in which he advocates the adoption of the Devnagri script in place of the present Kaithi which, according to him, has done more harm than good to the Biharis. The following evils of the present script have been enumerated:— BIHAR BANDHU, Dec. 19th, 1908.

Adoption of the Devnagri script in Bihar.

(1) The alienation of Bihar from the provinces where Devnagri is in vogue.

(2) Its standing in the way of having one script in India.

(3 and 4) Making the Biharis unable to read their own religious and other good books, and stopping the way of their being able to read news papers and law books, all of which are printed in Devnagri.

(5) Making them unfit to correspond with good men.

The contributor then exhorts the Biharis to kindly work head and heart in introducing Devnagri in place of the present Kaithi.

61. Referring to the public meeting proposed to be held at the Town Hall on Wednesday, the 23rd December, to thank Lords Morley and Minto for the Reform Scheme, the *Daily Hitavadi* [Calcutta] of the 23rd December says that the Maharaja of Durbhanga is not the fittest person to preside at the meeting. The Maharaja not being a Bengali, cannot legitimately preside at a meeting of the Bengalis. Under the present circumstances he cannot be regarded as the representative of the Bengali public. Is there none among the Bengalis fit to preside at the meeting? DAILY HITAVADI, Dec. 23rd, 1908.

The Maharaja of Darbhanga as President-elect of the proposed Town Hall meeting.

URIYA PAPERS.

62. The *Uriya and Navasamvad* [Balasore] of the 11th November thanks God for the protection that He granted to Sir Andrew Fraser while His Honour was being URIYA AND NAVASAMVAD, Nov. 11th, 1908.

Loyalty.

attacked by an assassin. This accident has created a sensation throughout the Province.

URIYA AND NAVASAMVAD, Nov. 11th, 1908.

Mr. M. S. Das, C.I.E., severely criticised.

63. Referring to certain statements said to have been made by Mr. M. S. Das, C.I.E., in a meeting held at Cuttack in connection with the proposed Land Records Maintenance Bill, the *Uriya and Navasambad* [Balasore] of the 11th November supports the remarks of the *Star of Utkal* that Mr. Das is not straightforward in his conduct and is not steadfast in his principle. It is said that he has a great deal of vanity in him, which mars the usefulness of his career as a leader. The writer further states that Mr. Das has a regrettable want of forbearance.

SAMVAD VAHIKA, Nov. 12th, 1908.

Two roads in the Balasore district in an unserviceable condition.

64. The *Samvad Vahika* [Balasore] of the 12th November complains that the Jajpur-Bhadrak and the Bhadrak-Anandpur roads are in a wretched condition and that, though they lie under the jurisdiction of the Balasore District Board, the Board has done very little to improve their condition. Complaints on this score are made every year, but the Board does not move quickly in the matter.

SAMVAD VAHIKA, Nov. 12th, 1908.

The state of the crop on lands near the canal.

65. The *Samvad Vahika* [Balasore] of the 12th November states that the standing crop on fields near the Government canal in Cuttack is in a good condition.

SAMVAD VAHIKA, Nov. 12th, 1908.

The high price of paddy and rice in Jajpur.

66. The *Samvad Vahika* [Balasore] of the 12th November states that Rangoon paddy is selling at 13 seers and Rangoon rice at 7 seers per rupee in the Jajpur Subdivision of the Cuttack district.

SAMVAD VAHIKA, Nov. 12th, 1908.

Fever in Jajpur.

67. The *Samvad Vahika* [Balasore] of the 12th November states that fever prevails in Jajpur.

SAMBALPUR HITAISHINI, Nov. 14th, 1908.

Babu Balamukund Kanungo establishing girls' schools in Banki.

68. The *Sambalpur Hitaishini* [Bamra] of the 14th November supports the opinion of the *Ganjam Gunadarpan* that the Deputy Collector, Babu Balamukund Kanungo, the officer in charge of Banki and Dompara in the Cuttack district, is doing very useful work by establishing a number of girls' schools in the Banki Estate. This is no doubt very creditable.

SAMBALPUR HITAISHINI, Nov. 14th, 1908.

Loyalty.

69. The *Sambalpur Hitaishini* [Bamra] of the 14th November thanks Heaven for the mysterious way in which Sir Andrew Fraser was saved from the attack of an assassin and hopes that His Honour will reach his native land in good health and in prosperity.

SAMBALPUR HITAISHINI, Nov. 14th, 1908.

Loyalty.

70. The *Sambalpur Hitaishini* [Bamra] of the 14th November publishes a vernacular translation of the King-Emperor's Message to the Indian Princes and people, and invokes the choicest blessings of Heaven on His Majesty's head.

SAMBALPUR HITAISHINI, Nov. 14th, 1908.

The Ganjam District Conference advised to establish a Dharmagola.

71. The *Sambalpur Hitaishini* [Bamra] of the 14th November requests the Ganjam District Conference to establish a Dharmagola (granary) at Berhampur in the Ganjam district with a view to help poor people, when the price of rice or paddy becomes very high.

UTKALBARTA, Nov. 14th, 1908.

A resolution of the Calcutta Municipal Corporation criticised.

72. The *Utkalbarta* [Cuttack] of the 14th November is of opinion that the resolution of the Calcutta Municipal Corporation to stop theatrical performances after 1 A.M., will cause great inconvenience to a large number of visitors, many of whom are known to come from outside the Calcutta town. It is looked upon as very inconvenient to go back to home at 1 A.M.

UTKALBARTA, Nov. 14th, 1908.

Total bankruptcy of the tenantry apprehended.

73. The *Utkalbarta* [Calcutta] of the 14th November agrees with its contemporary of the *Utkaldipika* in the latter's observation that the attempt made by many zamindars in Orissa to realise 16-anna rent of last year and 8 anna rent of the present year from their raiyats will result in the utter bankruptcy of the latter, who were only a few week's ago in the jaws of famine.

74. The *Utkalbarta* [Calcutta] of the 14th November states that a Marwari merchant, named Sobharam Lakshminarayan, has repaired at his own cost the Binjharpur-Narua road and the old temple of god Kapiswar in the Jajpur subdivision of the Cuttack district. May God bless the disinterested labours of the Marwari merchant.

UTKALBARTA, Nov. 14th, 1908.

Liberality of Mr. Sobharam Lakshminarayan, a Marwari Merchant.

75. The *Utkalbarta* [Calcutta] of the 14th November thanks God for the protection that he granted to Sir Andrew Fraser, while His Honour was on the point of being shot by an assassin. Though several attempts were made on His Honour's life, the protecting hand of Providence has saved him in various ways. May His Honour remain in peace and prosperity.

UTKALBARTA, Nov. 14th, 1908.

Loyalty.

76. The *Utkalbarta* [Calcutta] of the 14th November states that the raiyats in parganas Sargara, Korai, Tarakot and Barundei, who are engaged in irrigating their fields by drawing water from the neighbouring sources of water-supply feel themselves disturbed by the proceedings of the settlement amins, who have begun to measure their fields.

UTKALBARTA, Nov. 14th, 1908.

Settlement amins looked upon as unwelcome visitors.

77. The *Utkalbarta* [Calcutta] of the 14th November states that rice is selling at 18 seers per rupee in Bamra.

UTKALBARTA, Nov. 14th, 1908.

The price of rice in Bamra.

78. The *Utkalbarta* [Calcutta] of the 14th November states that paddy is selling at 64 seers and rice at 20 seers per rupee in Bahalda.

UTKALBARTA, Nov. 14th, 1908.

The price of rice in Bahalda.

79. The *Utkalbarta* [Calcutta] of the 14th November states that while three men belonging to Chikili in Jagannath Prasad in Ghumsar were keeping guard over their ripe crop, they were attacked by a savage bear, which killed one of them and wounded the other two.

UTKALBARTA, Nov. 14th, 1908.

Mauled by a bear.

80. The *Utkalbarta* [Calcutta] of the 14th November states that a Bengali gentleman was seen lying dead on the railway line near the Ichhapur station. His two legs were several from his trunk.

UTKALBARTA, Nov. 14th, 1908.

A railway accident.

81. The *Utkalbarta* [Calcutta] of the 14th November states that fever prevails in the Kendrapara subdivision of the Cuttack district. The settlement operations are in full swing.

UTKALBARTA, Nov. 14th, 1908.

Fever in Kendrapara.

82. The *Utkalbarta* [Calcutta] of the 14th November states that fever prevails in the Puri town.

UTKALBARTA, Nov. 14th, 1908.

Public health in Puri.

83. The *Utkalbarta* [Calcutta] of the 14th November states that the new *beali* rice is selling at 8 seers per rupee in Kendrapara.

UTKALBARTA, Nov. 14th, 1908.

The new *beali* rice in Kendrapara.

84. Referring to the Midnapore bomb case, the *Utkaldipika* [Cuttack] of the 14th November observes that many respectable gentlemen were unnecessarily detained in custody, dishonoured and at last set free after undergoing many hardships. Who is to be held responsible for this ?

UTKALDIPIKA, Nov. 14th, 1908.

Observations on the Midnapur imbraglio.

85. Referring to the resolution of Government on the loss of human life in India due to wild animals and snake-bite in the year 1907, the *Utkaldipika* [Cuttack] of the 14th November observes that the provisions of the Arms Act are in a great measure responsible for a certain per cent. of this loss. It is true that the number of passes issued under the Arms Act has increased in the year under review, but compared with the requirements of the population of India it is very small. The attention of the Indian Government is therefore drawn to the matter.

UTKALDIPIKA, Nov. 14th, 1908.

Loss of human life due to wild beasts and snakes.

86. The *Utkaldipika* [Cuttack] of the 14th November observes that the raiyats in Orissa being generally poor and ignorant are not in a position to lay their complaints regarding irrigation and water-rate before the Commissioner. This inability on the part of the Uriya raiyats has made the Commissioner think that they have no such complaints.

UTKALDIPIKA, Nov. 14th, 1908.

The inability of the Uriya raiyats to bring forward their complaints regarding irrigation and water-rate before the higher authorities.

Thus the Commissioner labours under a wrong impression. The writer therefore exhorts the raiyats not to remain idle when their interest demands some activity on their part.

UTKALDIPIKA, Nov. 14th, 1908.

Public health in Cuttack.

87. The *Utkaldipika* [Cuttack] of the 14th November states that the health of the Cuttack town is good.

UTKALDIPIKA, Nov. 14th, 1908.

Fever in Puri.

88. The *Utkaldipika* [Cuttack] of the 14th November states that fever prevails in the Puri town.

UTKALDIPIKA, Nov. 14th, 1908.

A monster meeting in Cuttack.

89. The *Utkaldipika* [Cuttack of the 14th November states that a monster meeting was held at Cuttack on the King-Emperor's Birthday to give expression to loyal ideas and to protest against the proposal of the Cuttack Municipality to establish filtered water-works at Cuttack at a ruinous cost. The meeting resolved that the Cuttack town has good sources of water-supply in the existing wells and in the rivers Mahanadi and Kathjori. The establishment of water-works will lead to the imposition of a water-rate, which the rate-payers are not in a position to pay. The resolution favouring the establishment of water-works was carried in a Municipal meeting iu the absence of a large number of elected members. The financial condition of the Cuttack Municipality is not such as to warrant the contracting of a loan amounting to Rs. 1,25,000. The meeting was dissolved after the appointment of an executive committee to bring the objections of the rate-payers to the notice of the higher authorities and the Government.

UTKALDIPIKA, Nov. 14th, 1908.

A proposal to broaden the Bijedaud Swargadwar Road in Puri.

90. The *Utkaldipika* [Cuttack] of the 14th November states that the street leading from the Puri temple to the Swargadwar on the sea is so narrow as to cause the greatest inconvenience and difficulty to pilgrims, who have occasion to pass by that road in times of festival. In the last Panchak full moon, about 50 thousand pilgrims were required to pass by that road with the greatest difficulty. It is the duty of the Puri Municipality to widen the street as far as is practicable and is consistent with public safety.

UTKALDIPIKA, Nov. 14th, 1908.

The Association in Calcutta to prevent malarial fever in Bengal highly commended.

91. The *Utkaldipika* [Cuttack] of the 14th November has every sympathy with the association established in Calcutta with the object of preventing malarial fever in Bengal. Really malarial fever is a curse. Many homes have been made desolate by its prevalence. Every resident of Bengal ought to sympathise with the object of the meeting.

RAJENDRA CHANDRA SASTRI,
Bengali Translator.

BENGALI TRANSLATOR'S OFFICE,
The 26th December, 1908.

B. S. Press—28-12-1908—417X—59—J. A. M. and others.

[CONFIDENTIAL.] No. 52 of 1908.

REPORT (PART II)

ON

NATIVE-OWNED ENGLISH NEWSPAPERS IN BENGAL

FOR THE

Week ending Saturday, 26th December 1908.

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Nil.

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Nil.

II.—Home Administration.

(a)—*Police.*

1273. The *Amrita Bazar Patrika* says:— AMRITA BAZAR PATRIKA, 16th Dec. 1908.

House searches.

"Need it be pointed out, at this late hour of the day, that irruptions of the police without rhyme or reason into private residences are viewed with peculiar horror by the Indians? The sense of wrong and the humiliation can only be realized by those who know how sacred his 'griha' (literally, the receptacle of all good) is to an Indian. To an Englishman his 'house is his castle,' but to an Indian it is not only his castle, but also the temple of his God, and his sanctuary! In this connection we submit to the authorities that before further similar searches are sanctioned and carried out, greater care would be taken to sift and weigh the information on which they may be based. As for the searches already made we hope the authorities would consider the result thereof, and in the event of the same being not satisfactory, take such notice of the irresponsible action of the informants as might seem proper and prevent others from following in their evil steps. If this were done, we believe not only would the officials be saved considerable worry and trouble but much of the popular anxiety and unrest now caused by them would be allayed."

(b)—*Working of the Courts.*

1274. The *Bengalee* says:— BENGALEE, 16th Dec. 1908.

Reform and repression.

"In a day or two Lord Morley will probably announce his scheme of reform, which, it is hoped, will allay the present excitement and restore peace and contentment among the people. But what is the attitude of the Indian public mind at present, at any rate, in this Province? It is this attitude that will determine the reception that will be accorded to Lord Morley's proposals. In consequence of recent events the public attitude of expectancy has given place to one of deep distress and uneasiness at the deportation of some of our best men. Men like Krishna Kumar Mitter and Aswini Kumar Dutt would be an honour to any community, Eastern or Western. Yet they and men like them have been deported, without a trial and without their being afforded an opportunity of explanation or defence. Is this consistent with the elementary principles of justice? And justice is the bulwark of thrones and States. It is, and has always been, the mightiest support of the British raj in India. It is the belief on the part of the people that the British Government would always administer impartial justice and would punish no man, except in accordance with the forms of justice, that contributed more than anything else that we can think of to the up-building and the consolidation of the Empire. Let not a rude shock be given to this belief which is a valuable asset of imperial rule, by the adoption of an extraordinary course, inconsistent with the plainest considerations of justice, to meet the fancied exigencies of the hour. Whatever the temporary gain might be, the result in the long run would be disastrous; for, after all, in the words of Lord Beaconsfield, the public opinion of the governed is the strongest bulwark of the State. Let no consideration of immediate necessity or temporary expediency lead Government to the adoption of the dangerous maxim that the application of the principles of justice can be suspended even in a single case, with profit or advantage to the State."

1275. The *Amrita Bazar Patrika* observes that if the nine deported gentlemen had really encouraged murder and dacoities, they should surely be punished and the Government has done well in deporting. But if any of these men had discouraged violent methods, their absence will only increase the brood of anarchists, assassins and dacoits. The journal is strongly of opinion that at least some of the deported gentlemen have nothing whatever to do with those who commit dacoities and murders. On the contrary their presence might have served the cause of law and order. AMRITA BAZAR PATRIKA, 16th Dec. 1908.

The present situation.

HINDOO PATRIOT, 17th Dec. 1908.

The recent deportations.

1276. While readily supporting the stern measure adopted by the Government *anent* the deportations, the *Hindoo Patriot* thinks it is within the bounds of propriety and fairness when it asks the Government to exercise its discretion with scrupulous care and to avoid mistakes. The journal is led to make this suggestion because nothing is yet known to the public for what offence the individuals deported have met with their doom. One of them, Babu Krishna Kumar Mitter, at least, who was a Moderate of Moderates, had a good record of past public services which could speak much in his favour. It may be that the Government has sufficient evidence before it to justify the action it has already taken. But still, would it not be advantageous to acquaint the public with the circumstances that led to the arrests of these individuals? Could it not serve as a warning to their unsuspected followers who may be moving in their wake, but without knowing whether there is criminality in their work or not? If they are to be made to understand such work is prejudicial to the interest of good Government and the peace of the country, they are sure to give up the job and betake themselves to orderly doings. There may be State reasons and political considerations forbiding the disclosure of such information, but the question arises, could not better results be expected to follow from the step suggested above?

MUSSALMAN, 18th Dec. 1908.

The arrests and deportations.

1277. The *Mussalman* observes that when men of Babu Krishna Kumar Mitter's moderation and character have been ruthlessly snatched away from his hearth and home, no one, having anything to do with politics, is at all safe. Deportation without trial is abhorrent to the feelings of all right-minded men, and it is deplorable that the Government has at this time committed a great blunder by having recourse to Regulation III of 1818. Ostensibly the new Act has been passed to strengthen the hands of the Government, but if the Government is bent upon deportation without trial, the new Act then seems all the more unnecessary. The journal appeals to the Government to take a calm and comprehensive view of the situation and try to conciliate the people when it is not too late.

BENGALEE, 18th Dec. 1908.

The deportations in the House of Commons.

1278. The *Bengalee* writes :—

"Have the prospects of conciliation in Bengal been furthered by the recent deportations? We say no, and everybody, who knows anything at all about Bengal, will say no. So far from this being the case, we are deliberately of the opinion that these deportations have seriously imperilled the chances of the success of a policy of conciliation. The reform scheme, we fear, will fall flat upon a community, troubled and agitated by these deportations. Their present distress overwhelms them. They cannot think of the future. The deportations fill the public mind, and the public are in no mood to listen to anything else, or think of the good, if any, which the reform scheme may secure to them. No graver blunder could have been committed by Lord Morley than to have sanctioned the deportations on the eve of the announcement of the reform scheme. And among the men who have been deported are some who are held in high esteem, loved and honoured by their countrymen. We grieve for them; we deeply sympathise with their distressed families. The human element is not dead in us, and we have not the heart to rejoice, if indeed we may so rejoice, at the proffered boon. If any body thinks that Bengal will be demoralized and depressed and diverted from the pursuit of what may conduce to her good, he is greatly mistaken. Constitutional agitation will be carried on as before; the process of nation-building will not be arrested. The laws of the land will be scrupulously respected, even the new law such as it is. The community will stand up for the maintenance of law and order, but will follow steadily and unflinchingly the path of public duty which it has prescribed for itself, and which, it is firmly persuaded, will lead to the accomplishment of the ends of peaceful and orderly development."

AMRITA BAZAR PATRIKA, 18th Dec. 1908.

The deportations.

1279. The *Amrita Bazar Patrika* says :—

"We admit it is hard to believe that the Governor-General in Council is capable of punishing innocent men. That being so, we submit it is due to the public that His Excellency and the Members of his Council should give the country some idea

as to the offence laid at the doors of the deportees. When Lala Lajpat Rai and Sardar Ajit Sing were deported, Government, though at first reticent, was afterwards led to disclose that such drastic treatment had been accorded to them, as they had tampered with the Army—a statement which, however, could not be established. Similarly, Government has no doubt some information at its disposal with regard to the nine Bengali gentlemen. What may it be? Public feeling is now quite keen on the subject; but we can assure the authorities, they will take the whole country with them if they can show that, in the interest of the Empire, they had no option left but to detain the nine gentlemen as State prisoners."

1280. Adverting to the recent deportations, the *Bengalee* declares that an Executive Council of Angels, aided by superior illumination, would commit mistakes in a situation so difficult and extraordinary. To deport people upon what practically amounts to *ex-parte* police reports, is to incur the serious risk of doing injustice in cases affecting the most sacred of all rights, the right of personal liberty.

BENGALEE, 19th Dec. 1908.

The deportations.

1281. The *Bengalee* writes:—

"The more we think of the deportations, the more we are convinced of their supreme unwisdom. We have already referred to the grievous injustice that has been done to Babu Kristo Kumar Mitter. The same injustice has evidently been done to others. Apart from the question of principle, to which we have already repeatedly referred, the Government has also fallen into serious error in regard to the men they have chosen. Take, for example, the case of Babu Aswini Kumar Dutt. We find that only a few days before he was arrested and deported, he made a speech at a public meeting, which shows the sort of man that he is. Here is an extract from a telegram which appeared in these columns: 'Babu Aswini Kumar Dutt then rose and dwelt at length on our present duties. He urged all not to deviate from the right cause which has been undertaken and not be frightened by the actions of misguided youths, but that it should be the duty of all to detect the miscreants who, by their actions, are surely retarding the country's cause; for no nation has ever flourished by means of unrighteous deeds.' It is perfectly obvious that the man who could make such a speech could never sympathise with, far less could he be a supporter of, unrighteous deeds"

BENGALEE, 22nd Dec. 1908.

The deportations.

1282. The *Bengalee* writes:—

"We should think the authorities have committed a deplorable blunder by prohibiting the Nagpur Congress. The ostensible ground for the prohibition is that according to the information placed at the disposal of the Magistrate, he had reason to believe that the Congress, if allowed to be held, would have discussed subjects and resolutions calculated to cause annoyance or obstruction to people lawfully employed or to disturb the public tranquillity. We are not aware if the organizers of the proposed meetings have so far prepared even their draft resolutions; it is at any rate not unreasonable to hold that the meetings, if allowed to be held, would not have allowed any discussion which was not lawful. The very fact that the organizers have asked the authorities to make suitable police arrangements precludes the supposition that they would have allowed such discussion. On the other hand, if such discussions *were* held, nothing could prevent Government from proceeding against the offending parties according to the law. What we complain of in the present case is that the local authorities have acted in anticipation and on the basis of a mere assumption, and have thus seriously interfered with the right of public meeting. If there is evidence in their possession that the Nagpur Congress would have held unlawful discussions the public ought surely to know what that evidence is. As a matter of fact, it is ridiculous to assume that the authorities could have such evidence in their possession. Even if they had somehow got an inkling into the nature of the draft resolutions, there was the possibility to reckon with that the organizers might ultimately change their mind. The best course for the authorities, if they were determined to resort to the step they have taken, would have been to have asked the organizers of the proposed meetings to supply them with a list of the draft resolutions; then if they found anything objectionable in them, they might have asked them to eliminate it. The

BENGALEE, 17th Dec. 1908.

The right of public speaking.

question of probibition ought to have been considered in the very last resort, and not until the organizers had definitely refused to comply with the request to eliminate such resolutions as the authorities did not deem lawful. This is the least they should have done, if they wanted to carry public opinion with them. As it is, they have only succeeded in arousing a certain amount of sympathy in favour of the organizers, even in quarters where the latter could not have originally expected it.',

AMRITA BAZAR PATRIKA, 17th Dec. 1908.

1283. *Apropos* of the retirement of Mr. Justice Mitter from the High Court Bench, the *Amrita Bazar Patrika* says:—

Retirement of Mr. Justice Mitter.

"Let the rulers never forget that the bed rock on which the British Empire in the East rests is not merely the dispensation of justice according to law, but its administration in a way which should be not only satisfactory but beyond all cavil.

"The compulsory retirement of Mr Justice Mitter, at the completion of his sixtieth year, brings one or two important matters to the front. The sixty years' rule of retirement, with the unenviable prospect of no pension unless a learned Judge has taxed his brains for the full period of eleven and-a-half years, or unless he breaks down after completing a service of six years and nine months, is calculated to lower the level of the High Courts in India. The people look to these Courts for the protection of their lives, liberty and property, and they need be so constituted as to inspire the fullest confidence. Amongst the various circumstances which influence the confidence of the people, one is undoubtedly the age and consequent experience of a Judge. With rare exceptions, an immature Judge seldom commands confidence. He may be a learned man with extraordinary knowledge of law; but a knowledge of the springs of human actions, the power to unravel the mysteries of human nature, and to discover truth from the maze of fiction and the labyrinth of complicated circumstances, cannot be learned from books. Age and experience can alone make a lawyer a good Judge of facts and enable him to do justice between parties."

(h)—General.

INDIAN MIRROR, 19th Dec. 1908.

1284. The *Indian Mirror* writes:—

The Reform Scheme.

"The despatches containing the views of Lord Minto's Government and of Lord Morley, will remain as shining landmarks in the history of British rule in India. They falsify all that has been alleged against the Government by the purveyors of sedition and treason. They confirm the traditional belief that the British Government is in India, in accordance with the dispensation of Providence, for the good of the people. They show that Lord Morley and Lord Minto are statesmen of the highest sagacity and wisdom, imbued with the loftiest sentiments and the most genuine good-will towards the Indian people. Lord Morley has justified his reputation as a Liberal of Liberals; and Lord Minto has proved himself one of the wisest Viceroys that came out to govern India. His Excellency stands out as an advocate of self-government in a far more substantial measure than can be laid to the credit of any of his predecessors. In some quarters, His Excellency's Government has been characterised as one of repression. The charge is unfounded and unjust. Lord Minto has done merely what the head of the Government is expected to do, in the interests of the millions committed to his charge. A repressive Viceroy could not have advocated the concessions—the real tangible concessions—which are about to be conferred upon the Indian people. We said, the other day, that between two such wise statesmen as Lord Morley and Lord Minto, nothing can go wrong. The appointment of two Indians to the India Council was in itself a concession which would have made the name of Lord Morley memorable for ever in the annals of the Indian administration. The Indian people cannot be sufficiently grateful for the substantial concessions which the Reform Scheme intends to accord to them."

HINDOO PATRIOT, 19th Dec. 1908.

1285. In expressing its approval of Lord Morley's reforms for effectively associating the people of India in the work of administration, the *Hindoo Patriot* says:—

The Reform Scheme.

"The reforms to our mind, betoken an appreciation on the part of the Government, of the abilities of educated Indians that entitle them to greater association in the conduct of the administration and larger responsibilities in the management of their local affairs. Lord Morley's scheme further contemplates the grant of larger powers and responsibilities to local bodies. This is, *par excellence*, a move in the right direction. History will record with approval the generous concessions granted by Lord Morley to the people of India, with the zealous support of Lord Minto which will mark a long advance from the position of the past in respect of both the higher and the less ambitious forms of Self-Government."

1286. The *Bengalee* is of opinion that the reform scheme represents an honest effort to introduce the beginning of Parliamentary procedure in matters of local administration. The people have not indeed got all they wanted, but are thankful for what they have got, and are strengthened in the hope that they shall get more if they follow, persistently and without flinching those constitutional methods in which the journal has faith.

BENGALEE, 19th Dec. 1908.

The Reform Scheme.

1287. Referring to His Excellency Lord Minto's appeal to the leaders of the people for co-operation with the authorities with a view towards ensuring the peace and happiness of India, the *Bengalee* says :—

BENGALEE, 20th Dec. 1908.

The Reform Scheme and the situation.

"No appeal could be conceived in a nobler or more generous spirit or more entitled to respectful consideration. The Indian leaders, we feel confident, will reciprocate the sentiment, which inspires it. But on their behalf we have also an appeal to make to His Excellency. A new era, as His Excellency rightly observes, is about to open in Indian History, in which the irritation and the bitterness of the past should be blotted out. The root-cause of this irritation is the partition of Bengal. We appeal to His Excellency to modify it and thus to strengthen the hands of the popular leaders for the work of co-operation and conciliation. Their services are at the disposal of the Government; they are ready to co-operate with genuine earnestness, but to make their services effective the modification of the partition is necessary. There is no greater authority on Indian matters than Lord MacDonnell. He has said from his place in the House of Lords that 'the partition was the greatest blunder ever made in India.' And is that blunder never to be rectified and the root-cause of the present discontents removed? We welcome the reform proposals, so far as they go. But in the new era which is about to dawn, the great grievance of Bengal should not be allowed to remain unredressed."

1288. The *Hindoo Patriot* states that both Lord Morley and Lord Minto are to be thanked for the inauguration of an administrative reform which will not only put an end to the present discontent in the country, but will usher into existence a new era of progress and good Government. It speaks not a little of the courage of both the Secretary of State and the Viceroy in introducing such a radical change in the administration of the country, when people both in India and England are urging the Government to introduce martial law and a reign of terror. The journal hopes that the whole country will now support the Government and co-operate with it in carrying out smoothly the administration of the country.

HINDOO PATRIOT, 21st Dec. 1908.

Lord Morley on Indian reforms.

1289. *Apropos* of Lord Morley's Reform proposals, the *Indian Nation* says :—

INDIAN NATION, 21st Dec. 1908.

The Reform Scheme.

"The reforms that he proposes to carry out in regard to the constitution of the Councils go a long way. As some one has said, they exceed expectation. We doubt if he will be able to carry them all through Parliament. If they are carried they will give India as much of popular or parliamentary government as she can enjoy now or can be fitted to enjoy for a long time to come. They constitute a land mark in the history of the country and they will immortalise Lord Morley. We have only one fear. We do not mean the fear that some of the more liberal proposals may be rejected by Parliament. Our fear is that the large rights, when they are actually conferred, may be abused by our countrymen. If in the provincial Councils the elected members

make a point of defeating the Government on every possible occasion, or worrying it with frivolous and vexatious questions, a scandal will arise, and the rights now conferred may be taken away. If again the rights of election are abused, those also may be taken away. With the new rights will come new responsibilities. The right of election will be greatly enlarged. We hope it will be more judiciously exercised than it has hitherto been. We hope the members of Councils that will be elected will be worthy of their trust, and that they will discharge it in a manner that will reflect credit on the country. The representative system and enlarged Councils are only a means. Proper discharge of public business is the end. And if there is a failure in that direction, retrogressive measures will become a necessity. Many rights have been lost or curtailed in recent years by reason of abuse. We hope the new rights will be used with sense and moderation so as to vindicate Lord Morley's liberal policy."

III.—Legislation.

BENGALEE, 16th Sept. 1908.

1290. The *Bengalee* writes:—

Old and new law.

"After making a tremendous effort to enact a new law, it seems curious that Government should have recourse to a very old law for what is called the suppression of the unrest. There were those who maintained—and we were among the number—that the ordinary law was quite effective and more than effective for any dangerous situation that may arise. But Government allowed itself to be misled into enacting a new law, which was called a strong law, and an ill-informed press, here and in England, has been congratulating the Government on its energy, etc. It is curious after all this that Government should have made no attempt to use the new law, and should still resort to the old. It was said the Government was so seriously impressed with the gravity of the situation that it was bound to pass at one sitting the new, strong law. Well, then, of what use has the new law been to Government. Where is the new special tribunal? It is the obvious duty of the Government, under the new law, to place persons against whom there is evidence of harbouring unlawful designs on Government before the special tribunal. At the Council meeting on Friday those who spoke on behalf of the Government were loud in praise of the impartiality of the special tribunal of the High Court. We have of course no intention to cast the slightest reflection on the High Court; on the other hand, if we must have a special tribunal, we should certainly prefer a trial by three Judges of the High Court. But what we are complaining about is that the action of the Executive in deporting persons and 'detaining' them without trial is in flagrant opposition to the policy of the new Act and the avowed declarations of the Government. As we have repeatedly said, by all means punish the guilty after judicial trial; but there must be judicial trial. To deport persons without trial is to exhibit the strength of Government without its mercy, the power of Government without its justice."

INDIAN MIRROR, 16th Dec. 1908.

1291. The *Indian Mirror* states:—

The new Criminal Act.

"The Government of Lord Minto is to be congratulated on having been able to pass such a measure as the new Criminal Act with the unanimous support of the Council. We are glad that the Hon'ble Sir Harvey Adamson alluded to this fact in the Council as being a proof that the sense of the country is with the Government, and that all loyal men are convinced that it is the duty of the Government to assume such powers as are necessary in order to stamp out anarchism. That the vast bulk of the people are opposed to anarchism, and look upon it with the utmost abhorrence has been demonstrated beyond the shadow of a doubt, and it is a matter for much gratification that the Government has recognised this fact. The passing of the new Act, with the support of the Indian non-official members, shows that in such a matter as the suppression of crime and the preservation of law and authority, the Government may always count upon the loyal assistance of the best men of the community. That the new Criminal Act is by no means so hard a measure as the people thought it would be goes without saying. The provision of a special tribunal of three Judges of the High Court to try offences under the Act, is one which must give satisfaction. Such a tribunal will certainly command greater confidence than a Court often

presided over by an inexperienced Sessions Judge. There is besides the wholesome provision that the Act is to be set in motion in any case only with the previous sanction of the Imperial and Local Governments. So far as the special tribunal is concerned, we do not think any reasonable objection can be advanced against it from any quarter. The way in which the Alipore trial has been dragging its weary length along reminds us of the Thaw trial in America which exhausted the patience of everybody. As regards the anarchical associations, or associations which have the tendency to be anarchical, the law has not been made unduly stringent. In their case too, the provision has been laid down that all action will be dependent upon the sanction of the Governor-General in Council. The Act is on the whole not so repressive as the people feared it would be. We have to be deeply thankful to the Government that it has refrained from producing any measure which might have restricted the freedom of law-abiding people. We are sure that between Lord Morley and Lord Minto, no wrong can happen.

"The only things that remain to be seen are that the Act is worked in the spirit in which it has been framed, and that no provisions of a more stringent character may be necessary. There is a strong feeling among the Indian community just now that the police may use the Act for the unjust harassment of innocent people. The Act itself does not, of course, give any new powers to the police, but the fear is that attempts may be made by the Police here and there to bring cases under the Act. It must be said at once that the higher ranks of the police do not come in for much criticism. The complaint is generally with regard to the subordinates in the lower ranks. That the police generally have had most arduous duties to perform, and that they deserve the greatest praise for the manner in which they have unearthed the anarchist conspiracy, will be admitted by every fair-minded person. It is only to be hoped that the utmost care will be taken by the authorities to see that innocent people do not suffer. The interests of society demand the punishment of the guilty, but, in punishing the guilty, let the innocent be given all necessary protection. We know that in the present condition of things it is exceedingly difficult to do things without any fault. We, therefore, deem it essential that there should be the greatest co-operation between the authorities and those among the people who may be trusted to offer sound counsel. There cannot be many mistakes if there is a free interchange of views between the official and the non-official public. This is a time when much good can be done by a harmonious co-operation between the Indian and the Anglo-Indian communities and the heads of the administrative Departments.

"As to whether more stringent measures may be necessary or not, we earnestly commend to the attention of our people the words of His Honour Sir Edward Baker whose deep interest in the Bengali community is well known to us all. How sorely pained is His Honour by the present state of things, was feelingly described by him in the Council in the course of the debate on the new Act. 'My Lord,' said he, addressing His Excellency the Viceroy, 'it is a matter of much concern to me that my first public pronouncement since assuming charge of my present office, should be made in relation to a measure of this character, which I cannot but admit reflects no credit on the good name of the Province to which I belong, and to which I am sincerely attached.' His Honour said at the same time that the new Act, aiming at the extermination of the sparks of incipient anarchy and disorder, does not represent the whole or even the major part of the policy of the Government in dealing with the present situation. 'Our greater task,' added Sir Edward Baker, 'is so to adjust the machinery of Government that our Indian fellow-subjects shall be allotted a part which a self-respecting people can fill. And when the constitutional reforms, which have been under Your Excellency's consideration, are finally announced, as they shortly will be, I hope and believe that this task will be on the road to accomplishment.' These are the words, indeed, of a sympathetic and liberal-hearted ruler, who wants to do a good deal for the people, if the people will only, by their assistance and support, let him do so. We have often said that India is eminently fortunate in possessing at this moment a Secretary of State like Lord Morley, a Viceroy like Lord Minto, and Provincial Governors like those we have at present in Bengal, the United Provinces, the Central Provinces,

Bombay, Madras, the Punjab and the North-Western Frontier Province. Under such rulers, India, if she were only free from the poisonous cult of violence, would enjoy peace, prosperity and happiness, such as are to be found associated with few epochs in her history. It will be seen, therefore, that it is the foremost duty of those who wish the country well to exert every influence at their command to re-establish order and tranquillity in the land. We have said more than once that any repressive measures that have been adopted so far are owing to our fault. Had we tried to put our house in order at the beginning, things would not certainly have gone so far as they have done. For months together, the Government sat waiting to see what the people themselves would do to extirpate the evil from their midst. It is too late now, however, to mend things which are past mending. Let us now look ahead. Sir Edward Baker with his characteristic frankness has told us that if the provisions of the new Act should be found inadequate to extirpate the evil, he would not hesitate to apply to the Imperial Legislature to be armed with sharper and less cumbrous weapons. Let us bear this in mind. It remains with us to make further stringent measures unnecessary; not only can we do that, but we can also make the present law inoperative, by strict maintenance of law and order. It is impossible to exaggerate the harm which has already been done to the country by sedition and anarchism. In the name of God, we implore our countrymen in general to ponder over the issues before them, and to do everything in their power to bring the country back to its normal condition. The Hon'ble Mr. Erle Richards, the Legal Member, has uttered the soundest truth in saying that we, the Indian people, stand to-day at the parting of two ways. 'One road leads to greater Self-Government under the direction and guidance of the British raj; it is the way of peace, of law and of order. The second road can only lead to repression, and ultimately to the reign of force; it is the way on which the ordinary law is suspended.' Yes, it is for us to decide which road we shall travel. Let us not shrink from the responsibility. If we love the country of our birth, we cannot hesitate to choose the way of peace, of law and of order. That is the way to India's salvation."

BEHAR HERALD, 19th Dec. 1908.

The Indian Crimes Act.

1292. The *Behar Herald* is of opinion that the new Crimes Act is by no means uncalled for, and that it has been ushered in none too soon. The existing law is not only too weak, but often proves too slow to effectually stay the hands of violence. The tedious procedure, followed by inevitable delay in the trial of some of the sedition cases, entails an enormous waste of public money, and is often financially ruinous to the accused themselves, while in many cases, the inordinate delay in procedure robs the trial of any deterrent effect upon others similarly inclined. So far therefore as the new Act provides a swift and efficient machinery for disposal of anarchical and other cognate crimes, it ought to be readily welcomed by all.

OFFICE OF THE SPECIAL BRANCH,
41, PARK STREET,
The 26th December 1908.

G. C. DENHAM,
Spl. Asst. to the Depy. Inspr.-Genl. of Police, Crime and Railways, Bengal.

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